

# PIERCE DISMISSAL OF ROSS IS SUSTAINED

# Capital Journal



CITY EDITION  
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6755  
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FAIR TONIGHT  
And Friday; cooler in east portion to night; rising temperature in the interior Friday; moderate N and NW winds.  
Local; Max. 66; min. 50; rain, .06; river, 3.6; atoms, cloudy; wind, west.

FORTY-SEVENTH YEAR No. 121

SALEM, OREGON, THURSDAY, MAY 21, 1925

PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

# LINEN MILL DRIVE OVER TOP

# LAY MURDER TO BABY FARM OWNER

## \$305,890 IS SUBSCRIBED FOR PROJECT

Signatures on Dotted Line Exceed Local Quota; Future of Mill Rests With Outside Towns.

With \$305,890 definitely subscribed from Salem for the new linen mill here, the first landmark in the drive for \$600,000 for the mill was definitely passed at noon today. The quota set for Salem had been \$300,000. Although some \$25,000 was guaranteed to make up the necessary part of the sum last Monday, today was the first time that the quota was actually considered raised, with names definitely on the dotted line for every dollar of the needed money.

The amount includes \$6300 subscribed at the last minute by D. N. Sanson, head of Dominion Linnens, who is responsible for starting the linen mill project here. He made his subscription in answer to a wire from the committee at Salem. The sum now actually subscribed by Sanson stands at \$48,500, he having subscribed \$62,500 at the start of the campaign. His original subscription is not listed in Salem's quota.

Reports coming from Silverton today indicated that some \$15,000 has been raised there.

The campaign in Portland is just getting under way, with little money actually subscribed, but with every indication that the campaign there will be a success, according to definite statements made this noon by members of the Salem committee who have kept in touch with the Portland situation.

Decision was made at this noon's meeting to keep the Salem committee intact for further, although less intensive, work in the city.

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## BLAME LAID ON NURSE FOR BABE'S DEATH

### Indictment Charges Mrs. Geisen-Volk Responsible For Death; Other Crimes Alleged.

New York, May 21.—(A. P.)—Mrs. Helen Auguste Geisen-Volk, owner of a "baby farm" in East 65th street, today was indicted for first degree manslaughter by a grand jury after an investigation which showed that William Winters, six months old, died in the woman's place after his skull had been fractured.

The Wiggins' infant was one of 20 children who died in the "baby farm." Experts said the injuries indicated the infant had been thrown against a wall. Health department records showed that 14 other children died in another "baby farm" which Mrs. Geisen-Volk formerly conducted in upper Park avenue.

The woman was indicted by another grand jury Tuesday on a charge of substituting children placed in her care. She was pleading not guilty to the charge in general session, today when the manslaughter indictment was returned. Her bail of \$25,000 on the child substitution was continued and she was returned to jail.

An infant obtained from Mrs. Geisen-Volk by Mrs. Grace Wilson Bass, Brooklyn, today was turned over to the Bellevue hospital authorities by Mrs. Bass. She said she had bought the child from the "baby farm keeper" for \$75 and had told her husband that it was born to her in a maternity hospital.

Substitutions Proven.  
Another child taken from the "baby farm" to Bellevue hospital, was identified by Mr. and Mrs. Richard Webster as their son. They said the child was placed in Mrs. Geisen-Volk's 86th street place, but that later when Mrs. Webster went there to take her son away she was told by Mrs. Geisen-Volk that he had already been removed by her Mrs. Webster's sister. This proved untrue and when Mrs. Webster went to the place a second time she was told by Mrs. Geisen-Volk that "a mistake had been made; its grand mother took it," the mother told the authorities.

It was charged that Mrs. Geisen-Volk had represented the child as being "Richard Burton of Philadelphia," so that the parents of the real Richard Burton would continue to pay fees although their child had died. The Webster

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## DON'S CLAIM COURT OF GI IS CHALLENGE

Mr. and Mrs. D. H. ... 901 South Liberty street, are parents of an 8 1/2 pound boy born Wednesday, May 20. He has been named William Byrd Upton.

Klamath Falls, May 21.—Announcement of the arrival of another embryonic newspaper man at the home of Don Upton at Salem, was countered here a few minutes later when public school authorities announced that Ronald Gwynn and Bill Perkins, both 11, stood the highest of all fifth grade public school students in Klamath Falls in intelligence tests conducted by authorities. The two youngsters are sons of Jack Gwynn, hooty-type operator and W. H. Perkins, news editor of the Klamath Falls Evening Herald.

## O. E. WILL EXTEND VALLEY LINE UP SANTIAM, CLAIM

Portland, Or., May 21.—The Portland Telegram today says that aggressive action by the Great Northern-Northern Pacific group, controlling the Oregon Trunk railway and now projected to be extended from Bend to Klamath Falls and on to a connection with the Western Pacific in California will be carried further in developing the Oregon Electric railway as a rival of the Southern Pacific in the Willamette Valley.

One of the important moves to be announced soon, adds the Telegram, will be the application of the Oregon Electric railway for authority from the interstate commerce commission to extend from Albany southeasterly along the middle fork of the Santiam river to tap the forest timber holdings of the Weyerhaeuser Timber company and the Minnesota Log & Lumber company.

The latter is controlled by Louis W. Hill, chairman of the Great Northern directors and recently acquired \$107 acres from the Mealey Brothers of Linn county.

## PLANES HOP OFF ON POLAR FLIGHT

New York, May 21.—(A. P.)—The North American Newspaper Alliance announced that it had received a dispatch from Kings Bay, Spitzbergen, this evening, stating that the two flying boats of the Amundsen-Ellsworth polar expedition hopped off there at 5:15 this afternoon for the north pole. The dispatch says that each plane carries three men.

## Cloudburst Damage Done Eastern Oregon Town Nearly \$40,000

Pendleton, May 21.—Damage estimated at \$40,000 was done at Lexington, Morrow county, yesterday between 2 and 3 o'clock when a torrent of water tore down Black Horse canyon after a cloudburst and inundated the business and residential section of the town. No loss of life was reported, and personal injuries suffered are said to have been slight.

The water that raced down the canyon and through the town came in depth from four to six feet, and its force was sufficient to lift buildings from their foundations and move them considerable distances. The office building of the Pacific Telephone and Telegraph company was carried sixty feet on the crest of the flood waters and set down next to a bank building. The flood subsided quickly when the water from Black Horse can-

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## BEER FLOWS ONCE AGAIN IN ONTARIO

### Thirsty Canadians And American Visitors Jam Resorts; Say Beverage Wet And Drinkable.

Ottawa, Ont., May 21.—(A. P.)—Eight hundred resorts throughout the province of Ontario, and since was days, were invaded today by parched residents, including thousands of Americans, for "four by four" beer, which became a legalized article of commerce.

From various points along the international boundary line came reports of a thriving business among both Americans and Canadians from the hour the beverage legally went on sale, 7 o'clock, on through the day. Virtually all the border hotels announced that they had long since sold out reservations for tonight's business with a majority of all the reservation purchasers Americans.

Early reports of the thirsty Americans said that the new beverage was not only "wet and drinkable," but that it was "all that could possibly be wished for."

The only note of pessimism from a wet viewpoint was uttered by Wayne B. Wheeler, general counsel of the Anti-Saloon League of America, who is in Buffalo.

He pooh poohed all wet optimistic reports and said that Uncle Sam "will observe the experiment with his tongue against his cheek, and continue to speed up dry law enforcement."

Thousands Cross Border.  
Niagara Falls, Ont., May 21.—(A. P.)—"Four-point-four" beer went on sale here this morning and thirty Americans flocked across the international bridges in hundreds to sample it. So many American autos came over that parking space was at a premium within several blocks of the hotels where the beer was being sold.

Inside the beer parlors chairs were all too few to accommodate the thirsty. Under the law the drinkers must sit at tables and in some instances Americans offered to buy seats from the Canadians who had arrived earlier to sample the "four-point-four."

## SHEPHERD CASE AGAIN DELAYED

Chicago, May 21.—The laborious process of selecting a jury to try William Darling Shepherd for the alleged murder of his rich foster son, William Nelson McClintock, ran third in interest today to two outside sensations connected with the case. The forenoon court session produced no addition to the three jurors numbered as tentatively selected since Monday.

Grand jury investigation of the disappearance of Robert White, wanted as witness by the prosecution, continued, as did a nationwide search for the man. His disappearance brought a statement from William Scott Stewart and W. W. O'Brien, associated in defense of Shepherd, that the missing witness had made an affidavit that the case against Shepherd was a "frame-up," and that he was wanted as a defense witness.

## FORMER P. E. P. HEAD DEAD

Portland, Or., May 21.—B. F. Jewell, former president of the Portland Electric company, who for some time has been a Christian Science practitioner, dropped dead this afternoon at the home of a patient he was treating.

## PLACE UPON GAME BOARD FORFEITED

### Authority of Governor To Remove Commissioner Sustained; Cause Not Inquired Into.

Portland, Or., May 21.—Circuit Judge Hewitt today threw out of court the quo warranto proceedings by which Dr. Thomas W. Ross attempted to regain his place on the fish commission.

Judge Hewitt held that Governor Walter M. Pierce was within his legal rights when he removed Dr. Ross, and refused to interfere.

John W. Kaste, who with W. W. Banks appeared for Dr. Ross said the matter of appeal to the supreme court was undecided.

If appeal is not taken John C. Veatch, named by the governor to succeed Ross, will have his place on the commission free from attack.

Charges Not Reviewed.  
"Whether the allegations and the charges are true or not, the court does not undertake to say," said Judge Hewitt.

The court cannot pass upon the truth of the facts alleged or interfere with the discretion of the executive.

Whether this court would have reached the same conclusion as to the facts at which the governor arrived is not for the court to say.

Under the decisions the court cannot weigh the evidence for the purpose of determining its preponderance. At most it can examine the evidence to ascertain if the governor exceeded his jurisdiction by deciding without any evidence.

After an examination of the transcript of the proceedings had before the governor the court cannot say there is no evidence reasonably tending to sustain the charges or the governor's decision.

Action Held Legal.  
"It therefore appears he did not exceed his jurisdiction in deciding the questions of fact, this court is without authority to say whether his judgment was good or bad."

Ross was discharged after a hearing before the governor, principally on charges of extravagance based on the fact that, with Commissioner Kendall, he voted to hire Carl Shoenmaker as office manager of the commission at \$500 a month after Shoenmaker had been removed as master fish warden.

Medford, May 21.—Salem was selected for the 1926 convention city by the state meeting of Odd Fellows at Ashland today, and the following officers were elected: L. E. Carter, grand representative; Portland; Henry Young, grand master; Hamilton; V. T. Jackson, deputy grand master; Roseburg; E. E. Shanon, grand secretary; Portland; O. A. Doane, grand treasurer; The Dalles; L. D. Foster, grand warden; Corvallis; trustee of home, W. H. Monaghan, Salem.

Rebekahs—Mrs. Mary D. Moss, Lakeview, representative to A. R. A. Mrs. Myra R-James, Newport, president; Don Seaton, The Dalles, vice president; Ora L. Cooney, Dallas, secretary; Eds. Jacobs, Portland, treasurer; Eds. Sanderson, Forestwater, warden; trustee of home, Sallie Gastin, Salem.

Edwards Wins.  
Portland, Or., May 21.—Billy Edwards, Kansas City light heavyweight wrestler, was two out of three falls in a match here last night with Sallor Jack Wood.

## POLITICS COVER WASTE

### Officials are Silenced SCHOOL RING POWERFUL

(By Harry N. Crain.)  
There are a sufficiency of practical reasons why it is up to the taxpayers of Oregon to force the readjustment of the higher educational system of the state to accomplish the elimination of duplication, waste and extravagance in the conduct of the University of Oregon and the agricultural college, if such a readjustment is to be attained.

Theoretically, the governor, the secretary of state, the state superintendent of public instruction and the boards of regents of the two institutions are the guardians of the public purse against the conspiracies of professional and ambitious educators. But politics in this case, as usual, plays havoc with theory and we see Governor Pierce, who has raised the hue and cry of tax economy and retrenchment in every corner of the state, sit passively by in the present controversy and move no hand to force the readjustment that would save thousands of dollars annually

without crippling the practical efficiency of the state's system of higher education.  
Pierce is Silenced  
Governor Pierce knows personally that duplication and extravagance exist in the two institutions. For years he has been a member of the board of regents of the college, and for more than two years an ex-officio member of the university board. By the same token he has been a party to the growth of extravagance in the system. He cannot move, particularly upon the eve of an election consistently raise his voice against that which he has created, nor will he apparently.

Scarcely more than a week ago, discussing the action of the board of regents of the university in dismissing certain members of the faculty, Governor Pierce declared the board in have been actuated by a need to economize, and stated that he would "go the limit" to effect savings in the administration of the two institutions where

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## JAZZ GIRL MUST STAND TRIAL; IS DECLARED SANE

San Francisco, Cal., May 21.—Arrangements were getting under way today for reopening of the trial of Dorothy Ellingson, 17-year-old "jazz girl," charged with the murder of her mother at their home here on January 13.

The San Francisco matricide is to be returned to the county jail here tomorrow, the medical staff of the Napa state hospital having declared her sane after 20 days of close observation.

Attorneys who defended the girl when the case was originally opened last March stated that they would go into conference at once to formulate a program. Both the defense counsel and relatives of the "jazz mad" disciple of the bright lights expressed astonishment at the verdict reached by the hospital authorities.

Although a statement from Dorothy Ellingson, submitted to the district attorney here together with the jury report, was discredited by Dr. Sealand, medical superintendent of the Napa institution, and Attorney Harmon D. Skiffen, who prosecuted the case, the latter stated it would be turned over to detectives for investigation. In the statement Dorothy declares that she is sane, denies having slain her mother, and names a man companion for the act. Her story, however, is not signed.

An insanity hearing was substituted for the murder trial after a series of hysterical outcries while the trial was under way. A jury found her insane and she was committed to the hospital April 9.

Secretary of the Interior Work will be in Salem and Portland on July 7 and 8, according to press dispatches received from Washington, D. C.

Mr. Work will be on a tour of the northwest to irrigation projects in this section of the United States. It is expected that while in Salem he will confer with Governor Pierce and other Oregon state officials. His interest is understood to be largely in financing stateless on irrigation projects.

## FIVE SHOT IN RAID ON JAIL BY LYNCHERS

### Attempt To Take Negroes From Prison In Texas Draws Fire of Police; Mob Driven Off.

Dallas, Texas, May 21.—Five men were wounded, one seriously, in an exchange of shots between officers guarding the Dallas county jail and a mob of about 300 persons shortly after one o'clock this morning.

The mob, bent on taking Frank and Lorenzo Noel, negro brothers, indicted yesterday in connection with two murder and assault cases, was driven back after about 20 shots had been fired. All of the injured were civilians. The only officer wounded was Sheriff Schuyler Marshall, who was struck by a brick.

One Expected to Die  
Dwight Stewart was the most seriously wounded. He was shot in the side and his recovery is doubtful. The others were but slightly wounded. About 100 men and a woman were arrested and placed in the jail. No charges were filed against them.

Following the attack, the crowd around the jail which began congregating early in the night and at one time was estimated at 5,000, gradually dispersed, although several hundred maintained an all night vigil.

The rush which resulted in the shooting started when a band of men, armed with rocks and bottles, attacked the line of policemen and firemen who were guarding the west side of the jail building. Many missiles were directed at the firemen who attempted to beat the mob back with streams of water. Their efforts were unavailing and the mob broke through the line. At this point firing began and police standing by opened fire, discharging about 20 shots, most of them into the air.

Mob Driven Back  
The mob immediately fell back and the attack subsided.

Armed with machine guns, shotguns, rifle arms, tear bombs and fire hose, about 15 officers maintained guard over the eight story jail.

The negroes were arrested last Friday and indicted yesterday after one of them was said to have confessed to the killing of Ryan Adkins and the assault of his woman companion on a lonely road north of the city on the night of April 12. Frank Noel was also indicted for the murder of W. L. Miffland and assault on his woman companion on the night of April 25. The crime aroused considerable public indignation and feeling has been running high since the negroes were arrested. One of the women assaulted identified Frank Noel as her attacker.

Fugitive Surrenders.  
San Francisco, Cal., May 21.—Edward Duncan, 22, of Tacoma, Wash., surrendered to police here today, telling them he broke jail at Grants Pass, Or., April 15 while serving a jail sentence for petty larceny.

"It is not clear whether this can be done," he said, "but we shall at least find out." He characterized Judge McMahon's declaration as the "graveside attack that has yet been made upon the principle of direct legislation."

## THE VELVET HAMMER

By Arthur Brooks Baker  
JUDGE L. B. McMAHAN

The doctor slowly saw the light in 1922 and started in with all his might at bearing something new. The clergyman remained convinced that 1898, then made his pace a fast foot pace because he started late. The lawyer, like him by and large, still stands for nothing but a house of gloom, a sheepskin tomb as deep as that of Tut. But here a judge who figures that the courts can be reformed and bar and jury constitute a bunch of cents forever lavished by custom had from using common sense, compelled to ask (an awful task) from dead and dusty shelves, what congressmen have had in mind, who did not know, themselves.

But having been an editor, his humor is a bird who has the knack of hitting back the long and useless word. He slices with his knowledge through tape entanglements and tells attorneys to employ more sense and simple sense. Mankind must hop, for time won't stop, no matter who may yell. The doctor's here, the church is near; court on, court house and jail!

## FREE GIRL WHO KILLED WOMAN FOUND WITH DAD

Chicago, May 21.—(A. P.)—Luella Wunsch, the 16-year-old high school girl who shot fatally Miss Agnes Simnick, to whom her father, William Wunsch, was paying attentions, and accidentally wounded her father and mother, was exonerated by a coroner's jury today.

Miss Simnick died in a hospital last night.

The jury held that Luella had accidentally killed Miss Simnick while "suffering from a hysterical frenzy" brought on by a conflict between her mother, Mrs. Wunsch and the slain woman.

"I shot at her, yes," Luella said calmly. "True, she deserved it. But that wasn't my intention. No—I simply tried to scare her. I did not know I had wounded her."

Mrs. Wunsch, her wounded foot swathed in bandages from a blanket, appeared at the inquest supported on one side by a crutch and on the other by her husband.

## U'REN TO APPEAL BUS TAX ORDER

Portland, May 21.—W. S. U'Ren, Portland attorney announced today he would file a petition to appeal to the supreme court, under writ of review, the decision of Circuit Judge McMahon, at Salem yesterday refusing an injunction in the suit by C. C. Chapman to hold up a referendum on the state cigarette tax.

It is not clear whether this can be done," he said, "but we shall at least find out." He characterized Judge McMahon's declaration as the "graveside attack that has yet been made upon the principle of direct legislation."

## SECRETARY WORK TO VISIT SALEM

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## ANNUAL STRAWBERRY FESTIVAL IS OPENED

Roseburg, Or., May 21.—Ringing clouds and great patches of open sky this morning gave promise of a fine day for the opening of the Roseburg strawberry carnival. Weather for the past week has been rainy and cold, but indications today were that the storm had passed and that a mild clear day could be anticipated.