

CITY EDITION  
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# Capital Journal

FAIR TONIGHT  
In the interior, cloudy on the coast to-  
night and Saturday. Moderate tempera-  
ture. Moderate west to northwest winds.  
Local: Max., 65; min., 48; rain, .01;  
river, 5.5; stream, cloudy; wind, north-  
east.

FORTY-SEVENTH YEAR No. 122

SALEM, OREGON, FRIDAY, MAY 22, 1925

PRICE THREE CENTS ON TRAINS AND NEWS  
STANDS FIVE CENTS

# PEARE AND COVELL HANGED

## BRAMWELL IS CALLED INTO COURT EXECUTIONS GREWSOME IN EXTREME

### JUDGE ASKS AFFIDAVIT EXPLAINED

Mere Assertion of Prejudice of Court Not Sufficient, McMahan Tells Attorney in Case.

Judge McMahan this afternoon issued an order requiring Frank C. Bramwell, state superintendent of banks, to appear in court personally Monday morning at 10 o'clock and give his reasons for his affidavit of prejudice against McMahan as presiding judge in the case of Putnam against Bramwell.

Circuit Judge McMahan this morning told Sidney Graham, attorney of Portland representing Frank C. Bramwell, state superintendent of banks, that he wanted Bramwell in court to explain his affidavit of prejudice against McMahan in the case of George Putnam against Bramwell, to compel Bramwell to maintain headquarters of the state banking department in Salem.

"If you cannot persuade Bramwell to come by himself I will issue an order to see that he does get here," McMahan told Graham.

Wants Explanation  
In the affidavit of prejudice Bramwell avers that he believes McMahan is prejudiced against him and that he believes he cannot have a fair trial in Judge McMahan's court.

"I don't know Frank Bramwell, in fact I don't know that I ever saw the man in my life," stated Judge McMahan. "I want to find out wherein I am prejudiced against him and wherein I cannot give him a fair trial."

Attorney Graham asserted that the statute under which the affidavit of prejudice was filed in a Washington statute and that it is the practice in that state when an affidavit of prejudice is filed to merely transfer the cause and it is considered the court has no authority to examine into the facts set out in the affidavit as to allegations of prejudice.

Fight is Promised  
"What the courts in Washington may relative to a statute is interesting and enlightening in determining the interpreting of such statute," said Judge McMahan. "But this court of equity is not bound by a decision in case decided in the state of Washington."

District Attorney Carson, appearing for the state on relation of George Putnam, assumed the position that the court has a right to inquire into the allegations of prejudice.

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### 10-Cent Mileage Held "Shameful Graft" by Judge L. H. McMahan

Declaring that officials putting in claims of 10 cents a mile provisionally for travel expense covering automobile trips are forcing a "shameful graft" onto the taxpayers, Circuit Judge L. H. McMahan today declared that the law relative to such traveling expenses contemplates that the official put in his actual expenses for the shortest route and cheapest route that could be taken.

"If he wants to take any other route that is his own business and a matter of his own convenience for which he should pay," stated the judge.

### Ontario Beer False Alarm Say Yankees

Toronto, Ont., May 22.—(By Associated Press)—Thousands of Americans living on Ontario's border have satisfied their curiosity but not their thirst. "Pergie's team" is a "four by four" beer, legalized by the Ferguson government, which went on sale yesterday. After drinking seven hours on a wagon to find out whether the beer was intoxicating, an Ogdensburg, N. Y., paroled pilgrim at Prescott, Ont., insisted that he was still "plain sober." The 11 p. m. closing provision of the law ended the test.

All parts of the province reported no intoxication. Not one drunk was arrested in the city of Toronto.

### NO WORD FROM POLAR PARTY

Failure of Amundsen Airplanes To Return Leads To Theory of Landing in Ice Fields.

New York, May 22.—The North American Newspaper Alliance said at noon today that it had received no word of the progress of the Amundsen effort since the planes hopped off at King's Bay, Spitzbergen, yesterday afternoon. No communication is possible, the Alliance said, since the planes have no wireless and no report will be available until the party lands at a point where the communication with the outside world.

Odo, Norway, May 22.—(A. P.) Given favorable conditions, the two seaplanes of the Amundsen expedition which started from King's Bay, Spitzbergen yesterday afternoon, in an attempted flight to the north pole should be back at Spitzbergen in about 24 hours from the time of the take-off.

The distance to the pole, 1160 kilometers, or about 720 miles, was expected to require about nine hours flying time.

If a favorable landing place is not found at the pole, the journey from King's Bay to the pole and return should occupy about 18 hours and the planes should be back at King's Bay by this afternoon.

If trouble develops and the planes must be abandoned, the party will try to reach Cape Columbia, Greenland, where the Peary expedition had a base.

The Norwegian government has empowered Amundsen to occupy the pole.

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### DUPLICATE WORK COSTS STATE MUCH

Saving of \$100,000 a Year Or More Possible Through Division of College and University Courses.

By Harry N. Crain  
Just what the needless duplication of courses in the University of Oregon and Oregon Agricultural college is costing the taxpayers of the state cannot be accurately estimated without a searching and detailed survey, but a cursory study of the catalogues and study schedules of the two institutions reveals waste that will easily exceed \$100,000 a year in duplications alone.

Most flagrant, perhaps, of the duplications are those to be found in the commerce, journalism and physical education departments. Here we find the spectacle of each institution offering largely the same work and with the same apparent purpose in view. Perusal of the list of courses offered in no manner tends to support the contentions of the college and university faculties that their encroachments over the dividing line are purely in the nature of service courses for students preparing for other lines of work.

Theoretically the college is supposed to offer undergraduate work in commerce and the university the graduate work, but examination of the courses offered

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### PLAN CHICAGO NEW YORK AIR EXPRESS LINE

Chicago, May 22.—A commercial air line between New York and Chicago, under which George had served in India, where he performed brilliantly in bringing cavalry commands up to a high point of efficiency. Sir George had not forgotten that service and brought Colonel French out of retirement to write the new cavalry book as a "masterpiece of lucid explanation and terse precision." Then the question arose as to how to carry out the alterations called for in the book. Some answered "The one who suggested them."

French was made assistant adjutant general of cavalry and proceeded to climb upward to the command of the first 100,000 British soldiers who met the first trench onslaughts of the Germans in the World War.

In the meantime French had made extensive reforms and was given command of a cavalry brigade. In the maneuvers of 1899 he attracted the attention of the entire British army. In those

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### FRENCH APPROVE CAILLAUX PLANS

Paris, May 22.—(By Associated Press)—The French cabinet at a meeting today approved the preliminary proposals of Finance Minister Caillaux for balancing the budget. Details were not revealed but it is understood the plans include the levying of additional taxation and the withdrawal of receipts from Germany under the Dawes plan payments from the budget, as well as a device to payment of interrelated debts.

M. Caillaux reiterated that the French government had sent no news to Washington regarding France's debt to the United States. The finance bill will be presented to the chamber of deputies Monday.

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### BRITISH WAR HERO PASSES TO LAST REST

Earl of Ypres, Formerly Field Marshal French, Dead; Called Luckiest Man in Army.

Deal, Eng., May 22.—(A. P.)—The Earl of Ypres, better known as Field Marshal French, British World War hero, died here today aged 73.

The Earl of Ypres underwent an operation on March 19. Soon thereafter he was reported to be recovering but subsequently his condition became worse.

Rising to the highest places and honors in British military circles, the Earl of Ypres often was characterized as "the luckiest man in the army" and French luck became almost proverbial among the British soldiers. Later events, however, caused a difference of opinion as to whether the luck had been on the soldier's side or on that of the British army and the British empire.

Here of Ypres  
Perhaps the most important event of his career which had to do with those two ideas was the historic battle of Ypres in the World War, the winning of which brought the cavalry from the Germans and saved England from probable invasion. It was at Ypres that the Germans first resorted to their deadly gas attacks, a form of warfare that impelled the British commander to deplore the fact that an army would stoop so low.

What was termed the earl's biggest place of sheer luck occurred in 1925 when the British military authorities decided to revise the cavalry drill book as a prelude to re-organization of the mounted arm. At that time he was Colonel French, on the retired list at half pay and had been for two years, having been shelved at the age of 41 to give younger men a chance for promotion. His career apparently was ended.

"Luck" Exclaimed  
It happened that the inspector general of cavalry was Sir George Luck, under whom French had served in India, where he performed brilliantly in bringing cavalry commands up to a high point of efficiency. Sir George had not forgotten that service and brought Colonel French out of retirement to write the new cavalry book as a "masterpiece of lucid explanation and terse precision." Then the question arose as to how to carry out the alterations called for in the book. Some answered "The one who suggested them."

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### BUCHTEL HELD INSANE BY BOARD OF ALIENISTS

Portland, Ore., May 22.—Chester C. Buchtel, former city fireman who confessed starting 51 fires while he was a member of the fire department, is suffering from dementia-prosecutor, said a report submitted today to Presiding Circuit Judge Morrow by a commission of alienists, who have examined him since his arrest about two months ago. The commission recommended that he be placed in the asylum for life.

### PAY DEATH PENALTY



Arthur Covell and L. W. Peare

Chicago, May 22.—The first 12 men decided upon by the state as a jury to try William D. Shepherd on a charge of killing his wife's millionaire ward, William M. McClintock with typhoid germs, will be accepted by the defense.

Shepherd's attorneys said they would do so to halt talk of defense tampering with jurors and witnesses which has been investigated since Robert White, state witness, disappeared and Philip Barry, a ventriloquist, said he had been "approached" by a man who said he was acting for the defense.

Jury Fixing Denied  
James C. Callan, local politician, named by Barry, denied through his attorney that he had made any attempts to "fix" a juror. The attorney said he would surrender Callan to the prosecutor.

While the county grand jury continued its investigation of White's disappearance search for him extended to Miami, Fla., where Robert E. Crowe, state's attorney, was told he had fled. Miami authorities did not find him at a given address and detectives were sent on route to Jacksonville to intercept him should he come that way.

White gave defense attorneys an affidavit, which was an original statement that Shepherd had been connected with C. C. Faiman, head of a small science school, before he vanished, Arthur Byrne, a private detective employed by the defense, was reported to have told the grand jury. Byrne was said to have testified that White had told him his life has been threatened and that the original statement had been drawn from him by intimidation. The state planned to use White in corroboration of Faiman, who confessed he supplied Shepherd with the typhoid germs for a promise of \$100,000 from McClintock's estate.

Stories Conflict  
A different story of White's disappearance was reported told to the grand jury by William Adams, blind news vendor, who said White told him he had been offered \$25,000 and a furnished bungalow in Florida to place Chicago. Adams said White told him he intended returning the offer.

Meanwhile the progress of selection of the jury had been backward. Two state preemptory challenges reduced the tentative jurors to ten, one less than had been obtained last Monday when the trial opened. Seventy veniremen have been questioned.

### RESIGNATION OF LONG ACCEPTED

The resignation of Ward Willis Long, for the past four years minister of the First Presbyterian church of Salem, was formally accepted at a meeting of the church congregation last night. In presenting his resignation Rev. Mr. Long expressed his thanks and appreciation for the co-operation of members of his church during his pastorate here.

Arrangements were made to hold a joint meeting of the board of trustees and the church session to appoint a committee to confer with Rev. Mr. Long in his request to the Willamette Presbytery to dissolve his present church relationship here. His resignation is to take effect June 15, and he will go immediately after to Stockton, California, and take up his new pastorate there.

A committee on pulp supply will also be formed Sunday, and will be authorized to select the name of one man and present it to the church congregation for acceptance or rejection. There are a number of applications already filed for the position here.

NATIONAL CHAMBER ENDORSES SECRECY  
Washington, May 22.—The chamber of commerce of the United States today unanimously adopted a resolution approving the recent action of the federal trade commission in adopting new rules governing its publicity procedure.

Dies from Heat  
St. Louis, Mo., May 22.—(A. P.)—The first heat fatality of 1925 here, occurred yesterday when Clayton Smith, 47, negro, died at his home. The temperature rose to 94 degrees, the warmest day in the history of the weather bureau here.

### CHANGE NEEDED TO GET ECONOMY ASSERTS HOOVER



J. Edgar Hoover

Washington, May 22.—Discussions of agriculture and the merchant marine by Secretary Jardine and President Leth C. Palmer of the emergency fleet corporation and consideration of resolutions proposed at the convention of the chamber of commerce of the United States.

Another cabinet member, Secretary Hoover, told the delegates last night that re-organization of the administration functions of the government is necessary for elimination of waste in overlapping agencies.

He advocated three primary reforms—grouping of all agencies of the same major purpose under one administrative supervision; separation of semi-judicial and semi-legislative and advisory functions from the administrative functions; putting the former under joint minds and the latter under single responsibility and relieving the president of a vast amount of direct administrative labor.

The government, he declared, can have no definite and consistent policy for conservation and use of national resources so long as responsibility is spread among several departments. He cited the "chaotic" conditions in the oil business and "our deplorable lack of a definite and organized merchant marine" as examples of what may happen under divided responsibility.

It is important, Mr. Hoover asserted to bring kindred agencies together under one authority "so that their overlapping edges can be clipped and their rights stopped."

### JAZZ GIRL WILL FIGHT CHARGE

San Francisco, May 22.—(By Associated Press)—Dorothy Ellingson, 27 year old confessed material, pronounced sane after six weeks confinement at the Napa state hospital will be returned here this afternoon to be arraigned for the second time on a murder charge. She will be arraigned at 10 o'clock before Superior Judge Harold Lenderback.

The girl is indicated that she would plead not guilty to the first degree murder charge standing against her. In a written statement given on last night, Dorothy repudiated her signed confession given the police shortly after her arrest about January 15 and put the blame for the killing of her mother to one "Jeanette LaMarr," whom she says was one of her former associates in night life escapades. Police are searching for LaMarr.

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### DEFENSE TO CHALLENGE NO JURYMEN

Attorneys For Shepherd Say First 12 Accepted By State Are To Be Approved By Them.

Chicago, May 22.—The first 12 men decided upon by the state as a jury to try William D. Shepherd on a charge of killing his wife's millionaire ward, William M. McClintock with typhoid germs, will be accepted by the defense.

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### SHORT SKIRTS IN COURT

Los Angeles, Cal., May 22.—California's highest court has been asked to decide the high skirt suit of Myrtle M. Kirsh. Miss Kirsh sued a Los Angeles grocery firm for \$50,000 damages, alleging that one of the defendant's delivery automobiles had struck and injured her in such a way that she has since been unable to wear short skirts without great humiliation and mental anguish. The superior court awarded her \$3000 but the defendant company declared the amount too high and filed a plea with the supreme court.

### THE VELVET HAMMER

By Arthur Brooks Baker  
F. H. D'ARCY  
The glory of our city and our state has never for a moment been the object of debate, but often when the orator arises to endorse, he praises even heaven with a want of pep and force, while earthy readers may incredulously land until his phrases injure man and try the test of God.

But D'Arcy can salute the flag with wind that makes it wave, can make the woodland echo and the eagle scream and rave. In days gone by he was the nay for every public test, who thundered all the certainties with patriotic chest. A lawyer who can make the jury weep and blow their nose, he astonishes folk to shake the tree on which his verdict grows.

### EXECUTIONS GREWSOME IN EXTREME

Drop Fails To Break Neck of Cripple Who Strangles To Death; Blood Covers Peare.

Two executions, gruesome in the extreme, took place at the state penitentiary early today when L. W. Peare, 68 years old, was hanged for the murder of his wife and James Culver, and Arthur Covell, hopeless paralytic, avenging to his death for inciting the murder of his sister-in-law, Mrs. Ethel Covell of London. Both were sentenced in Coos county. Peare went thru the trap at 7:59 and was dead in 11 minutes. Covell, strapped to a board, dropped at 8:22 and was dead in 27 minutes. The fall failed to break his neck and he strangled to death.

While Peare was in jail at Coquille he tried to commit suicide by slashing his throat. When his body shot downward through the trap door of the scaffold today the old wound broke open at the jerk of the rope. From beneath the black cap the blood poured in jets and cascaded down the chest and limbs of the hanging figure, covering the shoes and forming a pool on the floor. There was a loud drawn whistling as the air rushed from the lacerated throat, much like that from a child's toy balloon. Then the body hung quietly. And Old Man Peare's tumultuous life had ended.

Accompanied by Warden Dalrymple and guards, Peare entered the execution chamber calmly, and walked up the steps of the scaffold unaided.

Asked if he had anything to say, he replied: "I haven't anything to say, except to bid you all good-bye." To the hangman he said: "Don't be afraid to draw it up tight." Last night the old mountaineer said: "I have had trouble all my life. The months I have been in prison have been the calmest I have ever had. I have gained in health and strength, I want to die, and right now wouldn't trade places with any other man here."

Peare professed belief in a supreme being. "I will soon know," he said. But he would accept no creed. Rev. C. M. Bryan, the prison chaplain, uttered a brief prayer as Peare stood with nose and black cap adjusted.

There was considerable delay in getting the helpless Covell ready for his execution. It was necessary to dress him for he had lain for weeks with only a dressing gown on. He was wheeled in in the invalid chair at 8:20, removed from the chair and carried to the trap. The services of several men were necessary to strap him to the board.

Covell Struggles  
"I wish all well," said Covell in his calm, silky voice. "I have no ill will toward anyone. Good-bye to you all." The chaplain prayed and the trap was sprung.

The noise appeared to be severely adjusted. But a heavy board was stripped to Covell's back, and, according to the prison doctor, this didn't allow the "whip" that is necessary to break the neck. Covell died by strangulation, but apparently without suffering. Half a dozen physicians attended the body.

Though he welcomed the ministrations of the prison chaplain Covell did not accept his faith. He relied on a faith related in some way to his study of the stars and the occult sciences.

Both men slept some during the night, and both ate breakfast. Yesterday and this morning both talked freely with the warden.

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