

# LOCALS

Mrs. Lucy Killam of Salem was operated on at a local hospital this morning.

Reserved seats for chautauqua on sale 9 a. m. Monday, July 6, at Patton's Book store and Hartman's jewelry store. No phone orders. 153

R. M. Faxon of Annetteville had a major operation at a hospital in Salem.

Wait, see the Chrysler four before you buy any car. 153

Mrs. J. W. Chamberlin, who has been confined to a local hospital for several days, will return home tomorrow. She is a resident of Salem.

Terwilliger undertaker phn 724

Miss Mamie Fleher of Stayton underwent a major operation at Stayton today.

Pears, apricots, strawberries, raspberries, cherries, currants for canning, Salem Fruit market, phone 926.

Efforts are being made to dispose of the Relief, river steamer that has been tied up at the dock of the Spaulding Logging company since being raised by the insurance company early in the year. The insurance company, a Portland firm said to be connected with Lloyds of London, bought the boat for \$2100 at public auction recently, after having received a judgment in court for damages against the boat to the extent of nearly \$3500. Representatives of the company stated at that time that the boat would be soon taken to Portland for repairs. No effort has been made to take the steamer down the river, and it is believed that with the level of the river steadily dropping it will soon be impossible to take the craft away from Salem until fall. It is known that at least one prospective buyer is considering the purchase of the boat, with the presumed intention of carrying freight with it.

The Argo and Home restaurants will be closed Sat. and Sunday July 4 and 5. 153

August Schelman returned to his home in Stayton yesterday. He has been confined to a Salem hospital since an operation here some two weeks ago.

Wanted, 5 experienced waitresses, steady employment. The Gray Belle. 157\*

W. Oliver of Miss City was operated on at a local hospital on Tuesday.

For sale or will trade 8 room home on Court St. for small bungalow on or near car line. Will also sell my 2 fine lots on S. Commercial. See Stan Linnson, Salem Smoke shop, 441 State. 158

Dave Argenter has been operated on at a local hospital. He is a Solo resident.

The best place to enjoy July 4th and 5th in Woodland Park (Spongs Landing.) 153\*

The local post of the G. A. R. will not hold its next meeting on July 4, the date formerly set for the meeting. The next regular date of gathering has been set at July 18.

Reserved seats for chautauqua on sale 9 a. m. Monday, July 6, at Patton's Book store and Hartman's jewelry store. No phone orders. 153

An 8 pound boy was born on the morning of Tuesday, June 30, to Dr. and Mrs. Seefeld of Salem. Mother and child are reported to be doing well. The case was handled by a local doctor.

Wanted, 5 experienced waitresses, steady employment. The Gray Belle. 157\*

Hugh Doney, son of Dr. Carl Gross Doney, president of Willamette university, has accepted a position as head of a YMCA camp at Lake George, N. Y., for the summer. He is a graduate of Willamette university with the class of 1922.

Watermelons on ice at all times Salem Fruit market.

Seventy three marriage licenses were issued during June by County Clerk Boyer, a new record for that month. But 32 licenses were issued in May. Salton and Silvertown led in the number of licenses issued.

Dance, Wednesday and Sat. nights at Tumble Inn. Dinner dance Sunday 8 to 11 p. m. Special carnival dance Sat. night. 153

C. P. Brundridge has filed suit in circuit court against Jasper Turndridge to collect on a lien for labor.

Capital Ice & Cold Storage Co. phone orders early to 230 to insure prompt residence service. After delivery home call at plant 560 Trade street. "We never close."

The Dale Williams habeas corpus case is scheduled for argument before Judge McMahon this afternoon.

Wanted to rent attractive modern furnished home with furnace. Phone 738W between 9 and 11 a. m. Thursday. 157

The Oregon Short Line railroad company has filed with the public service commission a new tariff for Sunday excursion fares for the season from June 21 to July 19, operative in all Oregon Short Line stations in Oregon, Idaho, Wyoming and Montana. Under this schedule return trip tickets would be sold, providing they

cost not less than \$1.75 or more than \$8 for the price of one way fares plus 25 cents flat. Baggage would not be checked. The return trip would be so arranged that the passenger would reach the point of starting by midnight on the date of sale.

Lincoln said, "I will improve myself, and then perhaps my chance will come." Others might wisely follow Lincoln's example. New classes will be formed at the Capital Business college, Monday, July 6. 157\*

The Portland-Trousdale Electric railway company today petitioned the public service commission for an increase in fares between Portland and Parkrose over route losses, which in 1924 amounted to \$3854.16. When the company began operation in 1912 it fixed fares of 5 cents each or 40 tickets for \$1. The company now asks to be allowed to eliminate the 40 ticket for \$1 arrangement and charge 5 cents straight.

For a safe and sane Fourth load with Eastman film and shoot with a kodak. If you haven't a kodak we will loan you one. Capital Drug store. 157\*

The Marion-Polk county realtors association will hold its annual picnic tonight at Woodland Park, formerly known as Spongs Landing. Approximately 50 will be present at the picnic, which will begin at the park at 6 o'clock. A picnic dinner and sports of various kinds will be staged.

Chautauqua reserved seats on sale 9 a. m. Monday, July 6, at Patton's Book store and Hartman's jewelry store. No phone orders. 153

Clark Morland of Albany was among visitors to Salem this morning.

Dance, DuBois' popular dances Fri., July 3, Crystal Gardens, Bliss' orchestra from Portland playing. 157

Leroy Gard of this city has purchased the house at the corner of Liberty and Stevens streets which was used as a model home during the "Own Your Own Home" week which was staged in Salem several weeks ago.

Dance Friday Crystal Gardens. 157

Carl G. Helm, district attorney for Union county, is in Salem today.

Good music Crystal Gardens Fri. 157

C. R. Gregg was fined \$1 in police court today for overtime parking.

Gladstone, sweet peas, other flowers, Ujijima, 964 S. Liberty, phone 1709. 157\*

Walter A. Wood received a permit from the city recorder today for the construction of a dwelling at 1567 Bellevue, to cost \$300. J. K. Robinson received a permit to build a garage at 267 North Church to cost \$600.

Dr. W. L. Mercer, osteopathic physician, 194-5 U. S. bank bldg. 157\*

A. E. Pound of Hollywood, Cal. was fined \$15 in justice court today for speeding.

Notice—We have received our shipment of copper tub Vass electric washers \$98.50, easy terms, no interest, no premiums. Gleason-Powers. 158\*

Mr. and Mrs. H. Foster of Mt. Angel were Salem visitors this morning.

\$98.50 terms, without interest buys a copper tub Vass electric washer at Gleason-Powers. 158\*

Mrs. J. R. Misner and Mrs. J. Q. Rogers, both residents of Albany, were in Salem today.

Reserved seats for chautauqua on sale 9 a. m. Monday, July 6, at Patton's Book store and Hartman's jewelry store. No phone orders. 153

Mrs. Ray Fish and Mrs. L. Cocher were among visitors in Salem today. Both are residents of Aurora.

Want a \$4000 loan on \$8500 improved ranch. Sociolotaky, real estate and loans. 158\*

Mrs. Lella Meyer yesterday became secretary of the local multiple listing bureau, taking the place of Mrs. Frances Shepherd, who has accepted a position with W. H. Grabenhorst and company.

After celebrating July 4th go to the new pavilion West Salem and dance. 158\*

Elks, report at 7 p. m. Thursday for short drill before lodge. 157\*

Announcement was made today of the sale of a 36 acre farm near Salem to James L. Johnson. It was sold by McGilchrist and Pennington. H. E. Brown was listing agent for the deal, thru the multiple listing bureau.

Wanted, 5 experienced waitresses, steady employment. The Gray Belle. 157\*

Dance evening of July 4th at new pavilion West Salem. 158\*

Dr. J. Shelley Saurman, M. D., has dissolved his partnership with Doctors More and Robertson, and opened new offices by himself on the third floor of the United States National bank building.

Who wins \$10? Be at the dance and have the new name for the new pavilion at West Salem. 158\*

Elks, report at 7 p. m. Thursday for short drill before lodge. 157\*

## Church Notices

of Sunday services must be in The Capital Journal office by 9 o'clock Friday morning this week for publication in The Journal tomorrow. The Journal will not publish Saturday, July 4.

## SUPREME COURT OPINIONS UPON SEARCHES VARY

The main difference between the opinions written by former Justice M. L. Pipes of the Oregon supreme court and his successor, Justice H. H. Bell, in the liquor case of the state against F. A. McDaniel is that the Pipes opinion emphasized the search and seizure phase while the Bell opinion emphasizes it. By the Pipes opinion, handed down January 2 last, the court reversed the lower court for Benton county jurors McDaniel was convicted of having liquor in his possession. By the Bell opinion, which followed a rehearing of the case, the supreme court reversed itself and upholds the lower court.

The Pipes opinion held that for an officer to search a man without a search warrant, merely as an incident of an arrest for some crime, the man searched must at the time be legally a prisoner of the officer. This opinion held while an officer may make an arrest for a crime committed in his presence, he may not, without a search warrant, search the person for instrumentalities of the crime, though having probable cause to believe the person has them. The Pipes opinion held that a search without a search warrant, to be legal, must follow a not proper arrest, and that more restraint for purposes of the search is not an arrest. Another point was that drunkenness in a public place, though in the presence of officers, does not authorize them without arrest or search warrant to search the person for liquor. It is held that where an officer without search warrant pried open a person's arms, without statement as to arrest, searched him and after finding liquor on him informed him that he would arrest him for having liquor in his possession, the search followed the arrest, the search was illegal and the evidence illegally obtained.

An opposite view is taken by the Bell opinion in these words: "It is urged that the arrest followed, and did not precede, the search. In our opinion it is immaterial whether the arrest preceded or followed the search if such acts were practically simultaneous, and if, in fact, the defendant was guilty of committing a crime in the presence of the officers for which he might have been arrested. In many instances it is dangerous for an officer to attempt the formality of stating that the accused is under arrest, and the law does not require him to do so. It is often times safer to act first and talk afterward. The Bell opinion says further that "in the instant case the defendant was legally arrested and searched, and the evidence of his crime was admissible to establish his guilt. The trial court erred in holding the search and seizure unlawful, but since the ruling favored the defendant he is in no position to complain."

Another point of difference in the opinions is this: The Pipes opinion holds that the fact that a deputy sheriff "smelled whiskey on the defendant's breath; that his overcoat was buttoned awry; that his face was flushed," was not evidence that the man had liquor in his possession. "They (the officers) were willing to arrest the defendant to anewer for the crime of having liquor in his possession which they could produce no direct evidence to support it," says the opinion.

On the other hand the Bell opinion holds that the officers, from personal knowledge gained through their senses, had the right to draw the reasonable inference that the defendant had intoxicating liquor in his possession and that he was attempting to drive an automobile while in a drunken condition. The Bell opinion holds that without doubt he was committing a crime in the presence of the officers for which they had a legal right to make an arrest without a warrant, and the right of search followed as an incident thereto.

Ruth Gets Another. "New York, July 2.—Habeas Ruth hit his sixth homer of the season in the fifth inning of today's game with the Athletics at the Yankee stadium. No one was on base.

Volcanoes in Action. Bogota, Colombia, July 2.—(A. P.)—Violent eruption of the volcano of Galeras near Pasto began yesterday, great flames issuing from the crater and large quantities of rocks and ashes covering the surrounding country.

The Woolworth company will enlarge its store space at Salem, taking over part of the space now occupied by the Rottlie Shoe company. The expiration of a lease now held by John Rottlie, it has been approximately a year to run. The part of the Woolworth store now opening on Liberty street will be enlarged, the space being taken from Rottlie's store.

A snappy time awaits you at dance new pavilion West Salem Saturday night. 153\*

The case of Ernest Kroner and others against the city of Portland, appellant, involving the constitutionality of the Portland zoning ordinance, has been advanced by the supreme court for hearing July 14.

Love, the Jeweler, Salem.

## Maimed War Heroes at Omaha



Tears mingled with applause as this line of war veterans hobbled past in the Disabled American Veterans' parade. Each of the men had lost a leg in the war.

## WEATHER CLEARS FIGHTS ASSURED

New York, July 2.—(A. P.)—Fair weather, with a bright sun in mid-afternoon, indicated that the Italian hospital fund boxing bout at the Polo Grounds tonight would be staged as scheduled after being threatened by rain in the morning. Promoter Fugazy stated that the program would start at 8:15 o'clock daylight time, unless rain again interfered.

Harry Greb, middleweight champion, will have seven pounds on Mickey Walker, welterweight king when they meet at the Polo Grounds tonight. At the official weighing this afternoon Greb scaled 153 and Walker 152.

Harry Wills, negro heavyweight, registered 213 pounds and his opponent, Charley Weinstert, 134½. Jimmy Slattery's Slattery's weight was announced as 152½ as against 153 for his opponent, antagonist, Dave Shade. Jack Sharkey scaled 124½ and Joe Lynch 122½.

## ON THE AIR

FRIDAY NIGHT (Pacific Time)  
 8-10:30 P. M., concert from Duo Art studio of Sherman, Clay & Co., 16-20-12, 4th St. O'Connell, Cal., 3612.  
 6 P. M., Ben Hirsch's orchestra, KPO, San Francisco, Cal., 423.2-5113-7 P. M., Loeu's Warfield theater, 7-730, Palace hotel concert orchestra, 8-10, patriotic program, U. S. Army band; 10-11, Palace hotel glee orchestra.  
 KFL Los Angeles, Cal., 467—5:50-6 P. M., Examiner's matinee musicale; 6, McDaniel's nightly doings; 6:45, radiophone talk; 7-8, Examiner; 11:30-12, Semann and his band; Carl Stoerck, whistler, and others; 5:15, Aeolian residence pipe organ studio, Dan McFarland, organist; 9-10, Acts and music of the negroes; 10-11, vocal program arranged, John Squalman, baritone.

## FRIDAY CONCERT PROGRAM FIXED

The program for the Cherrian band concert at Willson park Friday evening was announced by Director Oscar Steelhammer as follows: "Hernum & Bailey's Favorite"; "King Selection, 'The Prince of Pilsen'"; "The Merry Lark" (A love opus in birdland); "Bendix Popular Numbers"; Vocal Solo, (a) "out Are Just a Flower from an Old Bouquet" (b) "Because They All Love You"; Oscar B. Gingrich, "Russian Fantasia"; "Tobani"; "Dance of the Hours"; "Ponchielli March"; "The Three Musketeers"; "Grand American Fantasia"; "American Forever"; "Tobani"; "Star Spangled Banner"; "Died"; BRAZEA—Mrs. Saple L. Brazea died at a local hospital today. The body will be shipped to Tacoma tomorrow for funeral services and interment. Webb's funeral parlors in charge of arrangements.

## BY PRODUCTS PAPER MILL PROJECTED

(Continued from page one)

abilities offered for water transportation. This means of transportation makes it important that the factory be located on the river. By shipping by water, by way of the "Panama" canal, it is said the product of the factory can be shipped to New York at a lower cost than the output of competing companies in Michigan can be shipped to New York by rail. Car-goes loaded on boats either at Salem or Vancouver would have to be transferred to ocean-going vessels before entering the Pacific, but this, it is said, does not work against the location of the factory here.

## BIG SURPLUS OF REVENUES IS RECORDED

(Continued from Page One.)

purpose this year, having been used to lower the public debt. Secretary Mellon's statement of the treasury's condition said that only the annual surplus to be expected in future years should be used as the margin available for tax reduction.

Treasury officials offered no explanation for the increase in surplus over earlier estimates, but others believed improved business conditions together with lowering of surtaxes last year were largely responsible.

Use of the surplus and funds from other prescribed sources reduced the public debt \$745,519,101.59 to a total of \$20,516,193,887.99.

Plans of the treasury for a more effective enforcement of the prohibition law were described in Mr. Mellon's statement as rapidly nearing completion. He reviewed efforts to keep emment liquor out of the country by means of treaties with various foreign countries and use of the coast guard to blockade runs row, and these measures, together with the recently ordered reorganization of enforcement on land, he believes, equip the treasury to make the Volstead law more effective.

## BANK ROBBER SHOT BY OFFICER STILL ALIVE

Vancouver, Wash., July 2.—Joyce D. Thompson, shot yesterday by State Traffic Officer Jerry Williams after Thompson had attempted to rob the United States National bank here was still alive today and conscious but physicians say his chances for recovery are small.

## LEHIGH VALLEY R. R. LOSES \$853,000 CASE

New York, July 2.—(AP)—A verdict of \$852,000 in favor of the defunct Kerensky government of Russia against the Lehigh Valley railroad was awarded in the United States district court at the direction of Judge Mack today, for loss of war munitions in the Black Tom island explosion July 30, 1916.

## FASCISTI LEADER DENIES BREAK WITH U. S.

Rome, July 2.—(AP)—At a cabinet meeting today Premier Mussolini denied that negotiations with the United States have been broken off. He said conferences will continue "in the present, or in some other form."

## CARDINAL OUTFIELDER MAKES EIGHTH HOMER

Chicago, July 2.—Ray Blades, outfielder of the St. Louis Cardinals today hit successive home runs in the first and second innings in the first game of the double header with Chicago. Elmer Jacobs was on the hill for Chicago. Blades total of four loggers is now eight.

## SLIGHT QUAKE IS FELT

Livingston, Mont., July 2.—(A. P.)—A slight earthquake was felt at Lombard Mont., today where workmen for the Northern Pacific and Chicago Milwaukee & St. Paul railroads are repairing damage done by Saturday's temblors.

Flood Damage Heavy. Warsaw, July 2.—(A. P.)—Dispatches from Galicia and Teschen say the damage by the floods there has surpassed even that of 1903 in inundation. Three thousand persons are reported without shelter and \$3,900,000 relief is needed.

## BE CAREFUL ACCIDENTS IN SALEM THIS YEAR THIS WEEK

C. F. Doane reports to the police that he collided while driving his automobile with an unidentified car at Union and High streets. Zoe Olmsted Waters, 135 South 17th, and Mrs. Alice Bingham Powell of Woodburn collided on Liberty street.

## NOTICE

If you wish to have your eyes examined for glasses by Dr. Mendelsohn, make the appointments by phoning 723 the day before so you will not have to wait.

Office hours from 8:30 until 11:30 a. m., and from 1:00 until 5:00 p. m. By special appointment evenings or holidays. 210 U. S. Nat'l Bank Bldg.

## STRONGHEART In Jack London's Best Story

### "White Fang"

A brave man in the Frozen North—a lovely girl—her fiance, a thief and murderer—a heart-moving love story—gripping drama in the stifling surge of Alaska's winter snows—and a Dog—such a dog!

Comedy—News

# O-R-E-G-O-N

Today—Friday—Saturday

Please Do Your Shopping Friday As the Following Meat Markets Will Be

# CLOSED ALL DAY SATURDAY, JULY 4

Steusloff Bros.  
 Midget Market  
 Cross Market  
 Hunt & Schaller  
 McDowell Market  
 People's Market  
 Price's Meat Market  
 Skaggs' Market  
 Roth's Market  
 J. L. Busick's Market

## You Want to Keep Well

How simple! You cannot be sick if you are free from nerve-pressure. Let your chiropractor give you a spinal analysis periodically to be sure no nerve pressure exists. Then you will keep well.

Consultation and spinal analysis free.

# Dr. O. L. Scott

Chiropractor  
 U. S. Bank Bldg. Phone 87

## CANDY SPECIAL

Cocoa, Gems, Assorted Coconut Carmels, Chocolate Fudge, Raisinet Squares—Regular price 45c lb.—Thursday and Friday only—

## 28c lb.

2 lbs. for 52c.  
 Limit 2 lbs. to a customer  
 We are open Sunday

# Schaefer's Drug Store

Yellow Front Phone 197  
 135 N. Commercial St.  
 The Penslar Store

At the THEATRES TODAY

OREGON  
 STRONGHEART in JACK LONDON'S "WHITE FANG"

GRAND  
 RICHARD DIX and JAQUELINE LOGAN in A MAN MUST LIVE

Woodry & Woodry  
 Pays Cash for Furniture  
 Phone 75