

CIRCULATION
Daily average net paid circulation for
month ending June 30, 1925
6729
Average daily distribution 7089.
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Capital Journal

UNIVERSITY OF OREGON
JUL 8 1925
LIBRARY

FAIR AND MILD
In the interior tonight and Wednesday.
Cloudy on coast. Continued mild. Gents
variable winds.
Local: Max. 76; min. 49; rain, none;
river, .7; atmoe., clear; wind, northwest

FORTY-SEVENTH YEAR No. 160

SALEM, OREGON, TUESDAY, JULY 7, 1925

PRICE THREE CENTS ON TRAINS AND NEWS
STANDS FIVE CENTS

COOLIDGE FAVORS TAX CUT

ADVANCES IN CITY PAYROLL RILE COUNCIL

Action of Street Committee In Raising Some Salaries May Result In Open Split.

Apparently not satisfied with his part in the Fourth of July celebration just past, Alderman Hal D. Patton proceeded, at this city council meeting last night, to set off a bunch of fireworks relative to a rise in salaries of city department heads that was recently granted by the street improvement committee of the council. As a result there is a possibility that the increases will be rescinded.

Five Given Increases.

Patton's remarks revealed the fact that the street improvement committee about six weeks ago quietly got together and increased the salaries of City Engineer Hugh Rogers, Street Commissioner W. E. Low and City Attorney Chris Kowetz from \$150 to \$200 a month and in addition increased the pay of J. H. Davis, assistant to the engineer, so that his total salary shall be \$125 a month, and voted a salary of \$50 a month to W. H. Schvelling, a law student who is employed by the city attorney and who heretofore has received no compensation from the city. These increases in pay are all being made from the street improvement fund.

Discrimination Charged.

Because of a feeling among other members of the council that

(Continued on Page Seven)



Frank W. Mondell

COOLIDGE SAYS STORY OF BOOZE ORDER IS FAKE

Swampscott, Mass., July 7.—(A. P.)—President Coolidge today authorized a denial of a story published in a New York newspaper that he had instructed Secretary Mellon to increase the efforts of the coast guard to break up rum running in the vicinity of Swampscott.

The statement was made at White House today although Mr. Coolidge dislikes to deny or confirm newspaper stories, the one published with regard to rum running was without foundation.

It was indicated that the president is not concerned over unofficial reports that rum runners are standing off the coast awaiting an opportunity to land liquor on the rocky shore near the summer White House. His view of the situation confirmed the report of coast guard officials that there is little, if any activity on the part of rum smugglers at this point on the coast line.

So far as the government's efforts to curb rum smuggling are concerned the president believes it is a matter to be handled by the duly constituted officials and that the problem is not one coming under his personal direction.

EDITORS TO VISIT CAVES

Grants Pass, Or., July 7.—A trip to the Oregon Caves will be the feature of the annual gathering of the Oregon State Editorial Association, which meets in this city on July 17 and 18. This trip will be made on Saturday, following the business session of Friday. Cars are being provided by the Grants Pass chamber of commerce for those who do not bring their own machines. After the trip through the caves, the Oregon Caves Resort company will provide dinner for the visitors.

STOLEN CHURCH JEWELS FOUND

Reno, July 7.—(A. P.)—The police today returned to the Vatican the precious objects stolen Friday night when thieves entered the treasury of St. Peter's. The stolen articles were recovered after the arrest of Mariano Stella, former shoemaker and said to be responsible for the formation of the plot. The actual robbery was committed, the police said, by two painters who had worked in St. Peter's.

The two painters are Amerigo Leardi and Rubicondo Primavera. These men had been working in St. Peter's and are under arrest. Stella is supposed to have had some accomplices among the workmen in the church.

BOY'S DEATH ACCIDENTAL SAY OFFICERS

Frank Barrett Believed To Have Drowned In Attempt To Swim River To Save Long Walk.

Sheriff Hoker and District Attorney Helgeson of Polk county, with Sheriff Oscar Bower and Deputy Sheriff Burkhardt of Marion county, last night conducted an investigation into the death by drowning of Frank A. Barrett, 18 years, whose body was found in a shallow riffle of the Willamette on July 4 after Barrett had been mysteriously missing since the evening of June 26. The investigations were particularly carried on to ascertain if there was any ground for the theory that Barrett may have met his death from foul play and been cast in the river by his assailants.

One Feature Not Clear

From what has been ascertained so far indications point to the fact that Barrett met his death from accidental causes, although one feature of the discovery of Barrett's body has not yet been explained away to the satisfaction of the officers. And that is that Barrett's body was found lying face downward in a few inches of water on a sandy stretch of river bottom. As near as has been found

(Continued on Page Six)

WORK TO VISIT INDIAN SCHOOL THIS AFTERNOON

Portland, Or., July 7.—Dr. Hubert Work, secretary of the interior, arrived here today on his tour of government aid reclamation projects in the northwest. Governor Pierce of Oregon met the secretary here and attended a luncheon with him. From Portland, Secretary Work is to go to eastern Oregon to inspect projects there. Governor Pierce plans to accompany the party.

Secretary Work is accompanied by Dr. Elwood Mead, commissioner of reclamation; Stephen T. Mather, superintendent of national parks; Dr. and Mrs. Clarke, Judge John Carroll, general counsel of the Northwestern line, in whose private car the party is traveling, and Harry J. Brown, W. C. Cutting and W. J. Donald, newspaper men.

Plans for the day were suddenly changed. The proposed trip to the party to Salem to confer with Governor Pierce, State Engineer Luper and State Land Commissioner James Stewart was cancelled. The party established itself in Hotel Portland and telephoned to Governor Pierce to come to Portland about 10:30 a. m.

Discussion at this conference was relative to land settlement and other co-operative work by the United States government and Oregon.

Late this afternoon Secretary Work will leave his party and go to Salem to inspect the Salem Indian school, over which his department has supervision.

BRAMWELL SAYS COURT WITHOUT JURISDICTION

Frank C. Bramwell, state superintendent of banks, has filed his bill of exceptions in circuit court to the judgment rendered against him by Judge McMahon to pay a fine of \$50 for contempt of court in connection with proceedings brought by George Polnam of Salem to compel Bramwell to retain headquarters of the state banking department in Salem.

In the bill of exception Bramwell alleges that the circuit court had no jurisdiction to require him to explain the grounds upon which he based his affidavit of prejudice directed against Judge McMahon when he was endeavoring to have the cause removed from Judge McMahon's court to that of another judge. He further alleges that the court had no jurisdiction after the filing of the affidavit to pass on the question of whether or not Bramwell was guilty of contempt of court.

PROSPERITY IS HELD GENERAL

New York, July 7.—(A. P.)—Record breaking prosperity is revealed by bank statements issued in answer to a call of the controller of the currency for the condition of national banks as of June 30.

Resources, deposits and undivided profits of the large New York institutions exceeded the previous high totals of 1919 and 1920, boom years.

In Chicago, state and national banks showed combined increases in deposits of \$127,000,000.

The deposits of the National City bank, the largest in the country, exceed \$96,000,000 for the first time.

The total in the state submitted to the controller is \$910,903,995, a gain of more than \$80,000,000 since April.

INCE TO MARRY DANCER AND SCREEN ACTRESS

New York, July 7.—Lucille Meade, dancing and screen star and daughter of the late Cipriano Castro, dictator of Venezuela, has been cast by Ralph W. Ince, motion picture producer for the role of his bride.

The girl's stepmother, Mrs. Joseph Bryce, who lives here, has received word of the announcement of the engagement in Los Angeles.

Ince was divorced last week in Los Angeles by a sister of Anita Stewart.

STAGE IS SET FOR TRIAL OF JOHN SCOPES

Bryan Scheduled To Reach Dayton Today To Aid In Prosecution of Evolution Case.

Dayton, Tenn., July 7.—(A. P.)—William Jennings Bryan, connected with the prosecution of John T. Scopes, charged with violating Tennessee's anti-evolution law, arrived here this afternoon.

Mr. Bryan was met at the train by prosecution attorneys, defense attorneys, newspapermen and a host of Dayton citizens. He was escorted to the home of Richard Rogers, where he will remain until the conclusion of the evolution trial.

As Mr. Bryan stepped from the train he was greeted by the clicking of cameras. A crowd rushed forward to greet him and he was surrounded by his Dayton admirers.

Dayton, Tenn., July 7.—With the uncertainty removed yesterday as to whether Dayton was to be the scene of the trial climaxing the evolution controversy, Dayton looked forward to the arrival today of William Jennings Bryan, who is one of the prosecution counsel in the Scopes trial to be held here Friday.

Mr. Bryan will be met by other members of the prosecution who will attempt to prove John T. Scopes, Dayton teacher, guilty of violation of the state law prohibiting the teaching of theories of evolution.

Defense Move Fails.

Counsel engaged for the defense of Scopes yesterday in Cookeville, were denied their petition for a federal restraining order to halt prosecution proceedings scheduled for Dayton.

Federal Judge J. C. Gore held it his opinion that it was not within his jurisdiction to interfere with a case pending in a state court and expressed doubt that if it were in his power it would grant the petition on the strength of the allegations set forth. The constitutionality of the Tennessee statute, which Scopes is alleged to have violated was not touched on by the judge.

Darrow Due Wednesday.

Dr. John R. Neal, chief defense counsel, and John Thomas Scopes arrived early in the day from Cookeville. No word came from them as to any possible strategic move by the defense. Both appeared worn from their long drive over mountain roads and little was seen of them on the streets.

From Chicago word came that Clarence Darrow would arrive in Dayton tomorrow. While attorneys for the prosecution declared to discuss whom they would place on the witness stand to rebut the testimony of the expert witnesses of the defense, reports gained credence that this move would be made instead of a simple argument that such evidence was not relevant.

3 OFFICERS SHOT IN BATTLE WITH BOOZE RUNNERS

Salinas, Cal., July 7.—A truck and a passenger automobile, both equipped to carry liquor were found in a vacant lot today near the point at Moss Landing, where suspected rum runners and a sheriff's posse engaged in a pistol battle last night, resulting in the death of N. H. Rader, a member of the posse and the shooting of Sheriff W. A. Oyer and Harry Livingston, a state traffic officer.

The sheriff's office also received word that an automobile fleeing from the scene of the shooting had been stopped in San Jose and three men arrested there. They were later released.

The Prussillo at Monterey denied reports that troops had been sent to the scene of the shooting.

Sheriff Oyer was shot in the knee and Livingston through the leg. They are in a hospital here.

The finding of the empty trunk and automobile indicated that the shore crew of the rum running outfit had been surprised before it was possible to land any liquor from a supposed big sailing boat off the landing. There were no signs of any such craft today and it is believed that it put to sea as soon as the shooting started.

Possemen were still on guard at the scene of the shooting today. Two of the suspected rum runners were captured and brought here but only one name given out, that of John May.

MAN KILLS WIFE AND CHILD

Minneapolis, Minn., July 7.—(A. P.)—Attacking members of his family with a large knife while they were sleeping, Ernest Franzen killed his wife and one of his children today and sent four other children into the street in their night clothes, injured and screaming for help. He then killed himself.

Franzen, evidently suddenly crazed, first attacked his wife, Ellen, 35.

She was found dead in the kitchen, in a bedroom on the second floor was found the body of Morris, 5, their youngest child. When police arrived Franzen lay dying in another bedroom with his throat cut.

PIERCE FILLS SIX VACANCIES

Governor Pierce today re-appointed E. G. Hopson of Portland and W. B. Dennis of Carlton as members of the state board of engineering examiners.

As members of the state child welfare commission the governor appointed Johnston Wilson of Portland to succeed Alva Lee Stephens and Mary Bullock of Portland to succeed Julia A. Spencer.

Dr. B. T. Sims of Corvallis was re-appointed a member of the state livestock sanitary board.

Mrs. John Van Zant of Portland was appointed a member of the advisory board for the state industrial school for girls to succeed Mrs. F. E. A. Smith.

VILLA-O'BRIEN BOUT OFF

Portland, Or., June 7.—Bobby Evans, local fight promoter, today called off a proposed bout between Fredrick night between Pancho Villa and Tommy O'Brien after receiving a telegram from Villa's manager in San Francisco saying that Villa had three ulcerated teeth extracted yesterday and was too ill to box.

Fleener Resigns; Fred Williams Is Likely Successor

Damon Fleener last night resigned as a member of the city council from ward 6, and because of the possibility of a sharp contest over who his successor shall be the city council deferred for two weeks an election to fill the vacancy.

Mr. Fleener's term began the first of the present year. He gave as the reason for his resignation that his personal business demands all of his time.

Immediately upon the resignation being offered and accepted Alderman Hal D. Patton nominated Fred A. Williams, attorney and former member of the state public service commission, to fill the vacancy. This brought Alderman Galloway to his feet. Mr. Galloway is one of the two sixth ward aldermen and declared that the people of that ward should be heard before the council proceeds to elect a successor to Fleener.

"I have endeavored to sound out the sentiment among the people in the ward," said Mr. Galloway, "but so many of them have been away from home that I haven't had much success. However, I have found some who are opposed to Mr. Williams. While I have nothing against him myself, I believe the people should be given a chance to voice their opinion before the council elects."

Because of Galloway's wishes in the matter Patton withdrew the nomination of Williams, with the consent of Alderman Dancy, who had seconded it, with the understanding that he will again be nominated when the election comes up two weeks hence.

CITY REFUSES TO ACCEPT OLD WAR TROPHIES

No obsolete cannon or other so-called war trophies will be received from the government to be set up as monuments or ornaments in Salem city parks. The city council last night adopted a report of the committee on public parks recommending that the offer of the government to send some of these trophies to Salem be not accepted.

The council last night amended a report from the sewer committee by amending it to provide that the sewer projects for McKay avenue be extended a block farther south, which will extend it to Erison street. In that form the report was adopted.

Remonstrance Legal

City Engineer Rogers reported that a remonstrance filed against the proposed improvement of North Summer street from Mill to Market was sufficient to defeat the improvement. Remonstrances were received against the improvement of North 14th from Marion to D street, and North Fourth from Norway to Columbia.

The following petitions were received: Improvement of E street from Capitol to the Southern Pacific tracks. Improvement of South 24th street from the south line of lot 5 to block 11 in Richmond addition. For a street light on Summer street between Union and Mill streets. For a sewer in the street running north and south between Jefferson and South streets and between Cottage and Winter.

Len Is Compromised

A resolution was adopted for the construction of a sidewalk on the west side of North Fourth street between Pine and Grove streets.

A report of the ways and means committee was adopted accepting \$1000 from the Deaconess hospital to satisfy the city's tax lien against lots 5, 6, 7 and 8 in block 12, University addition.

Resolutions of the street committee were adopted approving plans and specifications for the

(Continued on Page Five.)

Work On Silvertown Armory Will Start Soon; Funds Now In

Armed with a warrant on the city of Silvertown for \$10,000, Charles Reynolds, finance officer for the Silvertown post of the Silvertown American Legion, appeared before the county court today and secured a county warrant, also for \$10,000, for the purpose of construction of a new armory at Silvertown.

Reynolds stated that the \$10,000 appropriated by the state is available at any time and would be secured just as soon as the county money was forthcoming.

"We expect to construct the armory this summer and to advertise for bids to be opened on July 20. That is the reason why we wished to secure all of the money at this time," stated Reynolds.

"The American Legion, in various ways acquired \$2100 with which to buy a site for the armory and purchased the old Tim Leavenworth place on Water street in Silvertown, the place where Honer Davenport, America's great cartoonist was brought up.

"The armory will be used for drill purposes for Co. I of Silvertown and also will serve as a club room for the American Legion post, as well as for headquarters for the American Legion auxiliary. The G. A. R. in Silvertown is already provided with quarters in the Knights of Pythias hall."

County Judge Hunt suggested to Reynolds, that inasmuch as only half of the taxes have been paid it would be easier for the county to pay but \$5000 of the \$10,000 set aside at this time and the balance to be paid in installments. But because of the desire to push early construction Reynolds urged that it all be paid now if possible, and under the conditions the court agreed, stating that they would be able to manage the finances in some manner.

Supreme Court Decides Judge Corliss Entitled To Full \$25,000 Asked For Services.

By an opinion of the supreme court today, written by Justice Coshaw, modifying the decree of Judge H. H. Belt in the lower court for Multnomah county in the case of the heirs of the late E. Henry Wemme against the appellant Christian Science churches of Portland and the E. Henry Wemme endowment fund and the new trustees of the fund, Judge Guy C. H. Corliss, who defended the fund in the original litigation is allowed the full fee of \$25,000 claimed by him from the fund. This gives him \$7500 in addition to \$17,500 paid him by the original trustees of the fund.

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The Coshaw opinion affirms the Belt decree in refusing to allow the new trustees to repudiate the sale of the so-called "Clackamas property" to the Salvation Army.

"The cross-appellants (which includes the new trustees) seek to ignore the sale to the Salvation Army," says the opinion, "and treat the White Shield Home in Portland as though it was still the property of the E. Henry Wemme endowment fund, and the Clackamas property as belonging to the six churches.

"The Salvation Army is not a party to this litigation. The court cannot divest the title of the Salvation Army to the White Shield Home without giving it an opportunity to be heard. The Salvation Army is an indispensable party to any litigation which would divest the title it now has in and to the White Shield Home."

In an opinion by Justice Rankin the supreme court affirmed Judge J. W. Hamilton of the lower court for Jackson county in the case of Frank S. Miller, appellant, against the Medford National bank and others, a suit to enforce an alleged gift.

JUNE BUSINESS BEST ON RECORD FILINGS SHOW

Business conditions during June, 1925, were more active than during any other June in the history of the city, according to statistics based on the number of instruments filed during the month. The number of instruments filed is considered one of the best keys to business conditions known. During the past month there were 742 filed, of which 249 were deeds and 172 were mortgages.

The second highest June mark made in the city's history was made in the banner year of 1920, during which there were 680 instruments filed, of which 248 were deeds and 172 were mortgages.

The figure for June 1924, was 655, for June, 1923, 610.

As usual, this year's June record fell below records for the months immediately preceding. May's mark was 804; April's, 531. Contrary to usual custom, however, June's business this year was more active than business during any of the first three months of the year. Records for the first three months of 1925 are January, 652; February, 668; March, 727.

Gasoline Station On Residential Corner Approved By Council

Through permission voted by the city council last night, a gasoline filling station will immediately be established on the Thielson property at Court and Capitol streets, in the fashionable residential district. This is the property formerly occupied by the Thielson home, but which was removed to give place to an apartment house. The apartment house project fell through.

The station will be operated by L. B. Jones of Eugene, and it is understood that the product of the General Gasoline company will be sold.

Fred D. Thielson appeared before the council, requesting that he would like immediate action on the petition for the reason that the tourist season is now on. He called attention to the size of the property, declares that he pays high taxes on it and that he finds it impossible to keep it clear of

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ATTORNEY IN WEMME CASE GETS BIG FEE

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In an opinion by Justice Rankin the supreme court affirmed Judge J. W. Hamilton of the lower court for Jackson county in the case of Frank S. Miller, appellant, against the Medford National bank and others, a suit to enforce an alleged gift.

ATTORNEY IN WEMME CASE GETS BIG FEE

By an opinion of the supreme court today, written by Justice Coshaw, modifying the decree of Judge H. H. Belt in the lower court for Multnomah county in the case of the heirs of the late E. Henry Wemme against the appellant Christian Science churches of Portland and the E. Henry Wemme endowment fund and the new trustees of the fund, Judge Guy C. H. Corliss, who defended the fund in the original litigation is allowed the full fee of \$25,000 claimed by him from the fund. This gives him \$7500 in addition to \$17,500 paid him by the original trustees of the fund.

This is a modification of the Belt decree in the lower court, which had to do with attorneys' fees, and which denied a further allowance to Corliss from the fund and held that he must look to the churches for it. Belt held that the original opinion of the supreme court in the litigation prevented him from allowing it from the fund.

The Coshaw opinion affirms the Belt decree in refusing to allow the new trustees to repudiate the sale of the so-called "Clackamas property" to the Salvation Army.

"The cross-appellants (which includes the new trustees) seek to ignore the sale to the Salvation Army," says the opinion, "and treat the White Shield Home in Portland as though it was still the property of the E. Henry Wemme endowment fund, and the Clackamas property as belonging to the six churches.

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