

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

FAIR AND COOLER
In the Interior tonight and Saturday.
Moderate west and northwest winds.
Local: Max. 94; min. 61; rain, none, river, -9; atmos. clear; wind, north.

FORTY-SEVENTH YEAR No. 163 SALEM, OREGON, FRIDAY, JULY 10, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

SCOPES IS INDICTED AGAIN

MONTANA SHAKEN

BUILDINGS IN FOUR TOWNS ARE ROCKED

People Rush Into Streets As Disturbance Wrecks Weakened Chimneys And Tottering Walls.

Helena, Mont., July 10.—Old mother earth became uneasy again this morning. Breakfast dishes in most Montana towns in the belt shocked two weeks ago trembled under quiver recorded at 7:48 this morning. The shock as recorded by the Helena weather bureau lasted about 10 seconds.

There was no damage in any section so far as can be learned. At Manhattan and Three Forks, where the greatest force of the shake was felt June 27, loose bricks tumbled again from the shattered walls but that was all. People rushed into the streets.

While there is no definite record of others during the night, reports tell of slight shocks about midnight, about 5 o'clock and about 6 o'clock. The recorded shocks, the weather bureau said, began with a slight tremor which increased in strength and violence with a north to south movement.

A stiff shock was reported at Trident, lasting possibly 30 seconds but without damage. Roseman, Livingston, Willow Creek, Great Falls, Millings, Butte and Logan also felt the shock, but without alarm or damage.

Yellowstone Park was not affected, Superintendent Albricht said.

48 INDICTED FOR DIVERTING HUGE ALCOHOL SUPPLY

Philadelphia, Pa., July 10.—(A. P.)—Indictment for the illegal diversion of hundreds of gallons of alcohol were brought by the federal grand jury today against 48 individuals and six companies holding withdrawal permits. The companies indicted were the Tolmeco Specialties corporation, Standard Veterinary Products company, Sanitary Liquid Soap & Supply company, Sterilize Manufacturing company, Consolidated Ethyl Solvents corporation of America and Pennsylvania Distributing company, all local concerns.

Local Philanthropy Leads To Encounter; Boardman Uses Fists

The philanthropic question of child welfare in Salem, as affected by the Y. M. C. A., influenced by the Salem Lions club and incidentally connected with the Boy Scout movement resulted yesterday afternoon in a hand to hand argument between Bob Boardman, physical director of the Salem Y. M. C. A., expert in boxing and wrestling, and Carl F. and George Glese, Salem furniture dealers. The battle ground was located in and out of the Glese-Powers Furniture store.

OPPONENTS



William J. Bryan and Clarence Darrow.

REPORT OF JURY FAILS TO STATE CAUSE OF DEATH

Medford, July 10.—The coroner's jury called May 25 to investigate the causes of death of Mrs. Emma Elsie Murphy, and whose husband, Omar W. Murphy faces an indictment for manslaughter, as a result thereof, made his final report last night. The verdict reached after 20 minutes deliberation, which did not fix the cause of death, is as follows: "We, the coroner's jury, duly impeached to and sworn to investigate the causes of death of Emma Elsie Murphy, hereby find that the said Emma Elsie Murphy met her death on the 22nd day of May, 1925, at Sacred Heart hospital, all from causes undetermined." The coroner's jury was held in adjourned session for six weeks, awaiting analysis of vital organs of the deceased.

BAKER PROJECT RAPPED BY WORK

Ontario, July 10.—Following a meeting here this morning when the merits of the Owyhee reclamation project were discussed, Herbert Work, secretary of the interior, issued the following statement for publication: "If, as some claim, I am compelled by law to build the Baker project, quite regardless of the opinion of the secretary of the interior as to its feasibility, I shall not believe it is feasible under existing laws, and experts under the bureau of reclamation and the department of agriculture, have so reported to me."

CHINESE PLOT FOR CAPTURE OF SHAMEEN

Scheme To Occupy Two Foreign Settlements With Aid of Russians Is Reported.

Hongkong, July 10.—(AP)—Reuters Canton correspondent announced discovery of an alleged Chinese plot to attempt to capture both Shameen, the foreign settlement of Canton and Kowloon, opposite Hongkong, with the assistance of Russian aviators.

The correspondent says a plan for the capture of these places with the assistance of Russian aviators has been prepared by the commander of the Whampoa Chinese cadets at Canton.

Reports, never definitely substantiated or disproved, said these cadets, commanded by a "Russian officer," parading near Shameen started the trouble on June 13 as a result of which a French merchant, J. Pasquier, was killed and several British wounded. British and French marines then fired into the Chinese demonstrators.

The Chinese claim, according to this dispatch that Shameen could be captured in three minutes at the cost of only one thousand Chinese lives.

Women Told To Leave Canton, July 10.—(AP)—All foreign women and children were warned today by the British consul said yesterday, while he was in Canton.

The Chinese flare-up against foreigners has developed into a contemplated attack on Shameen, the foreign concession, the consul said yesterday, while he was in Canton.

While J. O. Erickson, former Clatsop county district attorney, is continuing to handle the Astoria investigation, C. W. Robinson, criminal law expert, has left for Seattle to further probe the mystery of the woman's death in that city. The examination of the body may be delayed days pending investigations of Robinson in Seattle.

It is the contention of relatives that Mrs. White was poisoned and then shot to give her death the appearance of suicide. The bullet is in the left temple and an attempt will be made to show that it entered at an angle which made it impossible for Mrs. White who was right handed to have fired the shot.

It is also the contention of Erickson that the body was railroaded to the grave.

Portland, Or., July 10.—Charles E. Buchanan, a steamship pilot, filed suit in circuit court here today against a physician, a hospital superintendent and his wife, Mrs. Buchanan, demanding \$40,000 to assume his "outraged paternal instincts." Buchanan alleges that the three conspired to "palm off on him a baby which he declares to be his when as a matter of fact Mrs. Buchanan did not give birth to a baby at all."

The complaint says that when he came to Portland from Raymond, Wash., to bury his mother he remarked at the grave: "This leaves only two things for me in life—my wife and my son." He says a lodge brother standing beside him said: "If you knew as much about this as I do you would be punished the rest of your life. The boy is not your son."

New York, July 10.—Crude rubber prices took another upward swing today when spot ribbed sheets sold at \$1 a pound, the highest since 1916, when \$1.67 was paid. The jump reflected further advances in London.

Rates of futures deliveries ranged from 91 to 93 1/2 cents.

New Attempt Made To Free Chas. Forbes

Chicago, July 10.—(AP)—Appeals in behalf of Charles R. Forbes, former director of the veterans bureau and J. W. Thompson, wealthy St. Louis contractor, convicted last February of conspiracy to defraud the government through hospital contracts, were filed today in the United States circuit court of appeal.

The plea contains ten thousand printed pages and is the longest in the history of the court here.

Ninety five errors in the proceedings and findings of the original trial court are enumerated. Grave, substantial and prejudicial errors in the trial are held by the defendants to have brought about the conviction.

Forbes and Thompson are free on bonds pending decision on the appeal. They were sentenced to two years in the penitentiary and fined \$10,000.

The appeal probably will be heard in October.

POISON PLOT IS SUSPECTED IN ASTORIA CASE

Astoria, Or., July 10.—(A. P.)—In the light of evidence in possession of investigating attorneys, the discovery of poison in the stomach of Mrs. Crawford White, who was killed in Seattle nearly two years ago, would constitute a strong link in the proof of murder, counsel for Mrs. White's family declared here today.

An order for exhumation of the body and an analysis of the vital organs was issued yesterday in response to a petition of Mrs. White's mother, Mrs. Mary Spelman.

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SCIENTIFIC TESTIMONY IS ATTACKED

Attorneys For State In Scopes Trial Say They Will Contest Evidence As Incompetent.

Court Room, Dayton, Tenn., July 10.—(A. P.)—During the first conference of the attorneys on both sides of the Scopes case in court here today, the question of admission of scientific testimony as competent was discussed.

The question would probably be decided only after argument in court, it was indicated. Attorney General A. T. Stewart and former Attorney General G. G. Meazelle represented the state in the discussion, which was participated in by all defense counsel.

Grand Jury Convened Courtroom, Dayton, Tenn., July 10.—(AP)—The case of John T. Scopes, charged with violation of

(Continued on Page Four)

MINERS REFUSE TO HEED OFFERS OF ARBITRATION

Atlantic City, N. J., July 10.—Anthracite miners will not listen at this time to proposals of operators to agree upon arbitration in event of deadlock in the coming negotiations or to agree to remain at work after September 1, whether a contract has been signed or not.

The miners sub-committee of six reached this decision at a morning meeting in advance of the opening of actual conferences this afternoon.

No official statement was made but it was learned from a responsible representative of the miners' union that objection to the proposal was based upon two grounds.

First—The miners were said to feel that with seven weeks until September 1 there was still plenty of time to reach an agreement if one were possible.

Second—According to this information the miners frowned upon arbitration in a belief that the substitute for the present negotiations. Once the miners agreed to submit any difficulties to arbitrators, it was said, they would be uncomfortable for fear the mine owners would block a decision being reached here at Atlantic City in a "play" for a judicial decision later on.

San Francisco, Cal., July 10.—(A. P.)—Fancier Villa, world's champion flyweight boxer, and his manager, Frank Churchill, are preparing for a fight with Frankie Genaro, American flyweight title holder.

The fighting midget from Manila and his business agent are here. Villa is recuperating from an operation on his teeth, which was an announcement from his camp said, put him in poor condition for the bout at Oakland last Saturday, when he lost a decision to Jimmie McLaughlin, youthful bantamweight.

Churchill is negotiating with Genaro's manager.

Spectators Fill Tiny Courtroom To Overflowing

Dayton, Tenn., July 10.—(AP)—Spectators began to find seats in the "Brien county courtroom two hours before the Scopes evolution trial began.

By 8:30 o'clock, the room which will seat approximately 800 persons contained one hundred men with a scattering of women.

The lawn and walks outside were thronged with visitors who included mountaineers and khaki clad tourists. Motion picture cameras were placed at strategic points to "shoot" the principals in the case as they approached the scene.

A hum of tense conversation filled the courtroom and above this sounded the clatter of reporters' typewriters and the muffled click of telegraph instruments.

Judge Rauston entered at 8:30, followed by his wife and two young daughters and mother-in-law. The judge's family took seats within the railing. The judge was busy shaking hands with friends.

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PAVING RECORD SET ON SKYLINE ROAD BY COUNTY

Establishing a new record in road construction in the county, the mile and one-half pavement on the Skyline road included in the market road program designated about 10 days ago, was completed yesterday, grading and paving being finished in that time.

Having work throughout the county is going ahead at the rate of half a mile a day now with all plants working.

Just outside the city of Salem the county is paving two blocks on South High street from the end of the pavement to the McKinley school, this work being done thru private subscription in co-operation with the road district.

The St. Paul paving plant has just finished a half a mile of pavement in Yamhill county from the bridge to the Newberg pavement, this to be paid for by Yamhill funds, and today started work on this side of the river, paving toward St. Paul.

The Scollard paving plant is working on pavement on the main business street of Woodburn.

The Stayton paving plant is working on pavement on the Stayton-Mehama road.

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ELEVENTH HOUR FIGHT FAILS TO HALT EXECUTION

San Quentin, Cal., July 10.—(A. P.)—Thomas Bailey, 22, and Lewis Perry, 19, were hanged at the state prison here today for the murder of Glenn Bond, a Los Angeles policeman, after the failure of a spectacular last hour court fight to save their lives.

A reprieve of an hour was granted to Bailey and Perry this morning to await the outcome of court proceedings in behalf of the men in San Francisco.

The state supreme court denied a petition for a writ of error intended to stay the execution.

Sacramento, Cal., July 10.—(AP)—Edward Montijo, 27, was hanged at Folsom prison at 1:21 o'clock for the murder of Glenn E. Bond, Los Angeles policeman, for which crime his two companions died on the scaffold at San Quentin prison earlier in the day.

On motion of the attorney general, the former indictment against Scopes was quashed, having been superseded by the second official document in the case.

The indictment alleged that Scopes "did unlawfully and willfully teach in Tennessee schools certain theories that deny the story of the giving creation of man as told in the Bible," it charged that he taught that man was descended from a lower order of animals. This alleged teaching of the accusation set forth, was "against the peace and dignity" of the state.

Clarence Darrow, speaking for the defense, told the court that his side had a number of scientists it expected to call to testify and it would like to get an indication when it might be possible to call them as they were busy men and it was hoped that they would be able to testify with a minimum of effort.

Attorneys Disagree Judge Rauston inquired of the state how long it likely to take to get a jury and the attorney general suggested it would require a short time.

Mr. Darrow said he expected it might take some time. He added that he considered science competent within the case. Judge Rauston indicated that he would go into this matter when a jury was sworn.

Judge Rauston made another suggestion—that the state advise if it was ready for the trial and then the statement would be made in order from the defense. A conference of attorneys for the prosecution and defense followed.

The attorney general suggested that an adjournment be taken until tomorrow.

Mr. Stewart suggested some of the visiting attorneys in the defense camp had not "become acclimated." "We are willing to give them a half a day," he said.

Judge Rauston said he was reluctant to long an afternoon and suggested that a recess be taken with the possibility of proceeding at once to the selection of a jury.

The court proceeded to adjourn until 1:30 o'clock, the judge instructing the sheriff to have 100 men in court then to insure the completion of panel.

TECHNICALLY CORRECTED BY SPECIAL JURY

Selection of Jury Will Be Prolonged Process Darrow Hints, While State Disagrees.

Courtroom, Dayton, Tenn., July 10.—(AP)—Selection of a jury to pass on the guilt or innocence of John Thomas Scopes, charged with violating the Tennessee law against the teaching of evolution theories in the public schools, was begun at the opening of the afternoon session of the court today.

Five jurors of the first eight called were accepted.

Dayton, Tenn., July 10.—(A. P.)—A new indictment, based upon the evidence responsible for the old document, was returned against John Thomas Scopes by a three county grand jury here today.

The indictment charged violation of the recently enacted Tennessee law prohibiting the teaching of evolution theories in the public schools.

The technicality involved was the question of elapsed time between the summoning of the special grand jury in special session and the meeting of the body. Thirty days should have separated the two re-appointments, today remedied this defect, it was said by attorneys.

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PLASTERERS ORDERED TO RETURN TO WORK

New York, July 10.—Union plasterers all over the country have been ordered back to work by International President James McGovern, temporarily halting a strike which tied up about \$4,000,000,000 in building construction.

The plasterers yesterday signed an agreement with a group of large contractors to return to work pending arbitration of the inter-union controversy of plasterers and brick layers which caused the strike. Contractors agreed to employ union men on all their jobs.

FOOD PRICES INCREASE

Washington, July 10.—(A. P.)—General increase in retail food prices during the month ending June 15 is indicated in reports from 23 cities compiled by the labor statistics bureau of the department of labor. The greatest increase, four per cent was shown in Detroit. Three per cent increases were reported in several cities.

TRUSTEES TAKE FRENCH LEAVE OF MEDFORD JAIL

Medford, Or., July 10.—E. B. Rayno and Ben Daniels, county jail trustees, walked away from the court house yard Thursday evening about 7 o'clock and up to noon today had not been captured by Sheriff Jennings and deputy who beat the brush south of Jacksonville for the fugitives.

Rayno was serving a six-month sentence for liquor violations in the city and Daniels was serving a 30 day sentence from Ashland for vagrancy. Both had served about half of their sentences.

SCOPES JURY IS SECURED

Dayton, Tenn., July 10.—(A. P.)—A jury to try John T. Scopes for teaching evolution in the Tennessee public schools was selected this afternoon. It was composed of nine farmers, one school teacher and a farmer, one fruit grower and one shipping clerk.