

CIRCULATION Daily average net paid circulation for month ending June 30, 1925 6729

Capital Journal

MOSTLY CLOUDY West portion tonight and Friday. Mild temperature, gentle variable winds. Local: Max., 79; min., 55; rain, none; river, -1.4; atmos. cloudy; wind, north-west.

FORTY-SEVENTH YEAR No. 174 SALEM, OREGON, THURSDAY, JULY 23, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

MAN SUFFOCATED IN WELL

PIERCE SEEKS ESCAPE THRU TECHNICALITY

Governor Tries To Minimize Fish Board Tangle By Denying Garland Ever Appointed.

By hiding behind a technicality, Governor Pierce is attempting to evade responsibility for the mess into which he put the state fish commission by appointing two members who were not eligible to serve.

The governor now says that he never appointed Garland to the office and angrily told newspapermen today that the appointment was all a newspaper yarn.

The technicality under which, ostrich-like, the governor is hiding the smooth, bronze executive dome is the fact that he never actually signed his name to a certificate of appointment for Garland.

However, following the conference of June 1 the governor and others who attended the conference, including Senator Garland himself, let it be known that both Beals and Garland were the appointees, Beals to succeed F. P. Kendall and Garland to succeed John C. Veatch as soon as Garland returned from a trip to California.

PHILANTHROPIST FLEES TO ESCAPE HELPFUL PUBLIC

New York, July 23.—Leopold Schepp, 82 years old philanthropist and cocoon magnate, sought purchase today in his country home in New Canaan, Conn., from a deluge of suggestions as to how to spend his money for benevolent purposes.

On the heels of his appeal to the public to advise him how to do good with his millions came an avalanche of mail, telegrams and personal appeals.

Three thousand letters bulged his correspondence. The most of the letters were frank touches for funds and pleas for jobs.

All but 50 of the letters failed to hit upon Mr. Schepp's main purpose—the most good to the greatest number for the longest time.

It was too much for the philanthropist. Wearily, he packed his things and departed. To answer appeals, a printer was ordered to strike off 10,000 formal notices acknowledging their requests and stating all appeals would be referred to Philip Ritter, intermediary for Mr. Schepp.

Negro Leper To Face Trial In Glass Cage

New Orleans, La., July 23.—A negro leper, who has been indicted on a charge of wife murder but never placed on trial will face a judge and jury here confined in a glass cage with speaking tubes, if a request made by Dr. Oscar Dowling, president of the Louisiana state board of health, is granted by prosecuting officers.

DRIVER KILLED IN CRASH NEAR HUBBARD TODAY

Aurora, July 23.—Frank Hensit, of Linton, Oregon, was killed at 2 o'clock this morning when the light touring car which he was driving went through the railing of a bridge three quarters of a mile west of Hubbard and Broadacre.

Tearing through the railing on the right hand side of the bridge, the car turned completely over, crushing Hensit beneath it. He was found dead a few minutes after the accident occurred.

The only explanation that has been advanced for the occurrence is that the man may possibly have become sleepy and dozed off while crossing the bridge. So far as is known he was not passing another car, but had the entire bridge to himself.

MINE EXPLOSION TRAPS SEVEN MEN

Rockwood, Tenn., July 23.—(A. P.)—William J. Snow, superintendent of Roane Iron company coal mines and a party of six men, who went into Bryson dip on No. 7 entry to combat a mine fire last night were trapped behind an explosion early today and grave fears are entertained for their safety.

Bryson's dip is the scene of a fire that broke out some time ago and was walled up in an attempt to extinguish it. The barricade was removed this week in the presence of state and federal mine inspectors who pronounced its condition satisfactory and left the city last night.

At 11 o'clock the old blaze broke out again and Mr. Snow organized a party consisting of Roy Limberg, John and Tom Green, Jim Wilson, Mal K. King and one or two others to go in and fight the fire.

Later the superintendent told King to make his rounds in other parts of the mine and as he was returning to the scene of the fire shortly before 2 o'clock he heard an explosion and smelled an onrush of after-damp gas.

REGULATION UPON NEW PARKING PLAN HELD UP

Council Postpones Vote On Final Passage To Enable All Members To Be Present.

Because Aldermen Thompson, Simeral and Alderlin were not present and a full attendance was desired to vote on the head-in parking ordinance, the city council last night refused to consider the measure and deferred it until the next meeting.

The motion to defer was made by Alderman Purvine, one of the supporters of the measure. Mayor Giesey, who says he is willing for the method to be tried out if the people want it, but who is inclined against it, said he was glad Purvine made his motion, "because it will make the members who don't want to vote on this measure come to the front."

Other ordinances passed were: Old Act Renewed. Repealing an obsolete act requiring steamboats to pay an annual license of \$50.

Assessing the cost for the improvement of Oak street from Liberty to High, \$3382.14.

Assessing the cost of the improvements. (Continued on Page Four)

PASSION OF OLD WEST SEEN BACK OF ALLEGED DUEL

San Francisco, July 23.—(A. P.)—The hair trigger hatreds of the old west that flamed and died in but an instant but that usually illumined some lurid tragedy for all their brevity, supplied the motive in the killing of Henry K. Brawley last Saturday and the suicide of John Truden, Kirk's slayer, in the opinion of members of the Kirk family here.

David Kirk, brother of the dead man is sure that the double tragedy was not the result of six years of differences as suggested in a letter found on Truden but was the outcome of quickly formed and quick flaming passions that were a throwback to the old frontier days when men "shot it out" on the spur of the moment.

"We never heard of Truden before," other members of the family said. "Henry must have met him in Brawley and they must have quarreled on the spot. Then they decided to each shoot it out or Henry was murdered by Truden and Truden wrote the 'duel' letter and then committed suicide so that the world not know him as a murderer."

PAST GRAND ARMY COMMANDER DEAD

Portland, Ore., July 23.—G. A. Williams, past state department commander of the Grand Army of the Republic, died at his home in Gladstone last night. He was 80 years old.

AMERICAN KILLED AND CAPTURED

Morgan Palmer Is Shot To Death By Chinese Bandits While Defending Home Near Harbin.

Peking, China, July 23.—(A. P.)—Morgan Palmer, an American, has been killed by bandits at his ranch on the Sun Gay river near Harbin. Dr. Howard, an eye specialist attached to the Rockefeller hospital, was captured at the same time.

Consular advices from Kalgan state that Palmer was killed on July 20 while defending his property against bandits. Mr. Palmer and his mother, Dr. Howard and his son, James, and an American trader named Baldwin of Kalgan, Chihli province, together with his wife and child, were visiting Palmer's ranch which is in the Manchurian province of Kerin, when the attack was made.

Howard Saw Captive. The consular advices say that Dr. Howard last night was still in captivity, the other are "safe for the present" but their whereabouts is not known. The American consul, Samuel Sokobin, has gone to see the military governor of Kerin, in an effort to secure the release of Dr. Howard.

The Rockefeller hospital has been advised that Dr. Howard's son, James, is safe on a customs launch at Fuchochen. Comment Withheld. Washington, July 23.—(A. P.)—Officials here were manifestly distressed over the killing of one American and the capture of another yesterday by Chinese bandits, but there was no indication that the development would interrupt negotiations in progress for a friendly effort by the powers to help China out of her domestic troubles.

Formal comment on the raid on the Palmer ranch was withheld pending full official investigation. Meantime, however, American authorities in China are expected to take prompt measures to secure the release of Dr. Howard, the American held captive, and the punishment of those responsible for his abduction and for the death of Morgan Palmer.

Heretofore Americans in China have been noticeably immune from the attacks directed against the nationals of other countries, and the first impulse was to regard yesterday's incident as detached display of banditry and not an indication of any widespread move against Americans.

LIGHTNING IS FATAL TO FOUR

New York, July 23.—(AP)—Four persons were killed by lightning in metropolitan New York and south New Jersey yesterday. Crops of tobacco, hay and grain were flattened by a severe rainstorm in New England and upstate New York.

A 14 year old boy was killed by lightning in Brooklyn when he attempted to climb a tree to delodge a kite. A woman was killed at her sewing machine in Somers Point, N. J., a laborer was killed under a tree at the Swaney golf club and a soldier struck dead while on duty at Fort Stocum.

There were no fatalities in New England but the storm late yesterday swept down Maine, flooded streets and deluged and washed out railroad tracks. Trolley service and wire communication were impeded. President Coolidge and his party on the Mayflower were caught in the storm during their trip to Pemberton, Mass., and experienced rough going. GOOLIDGE SELECTS GLOVER. Swampscott, Mass., July 23.—(A. P.)—W. Irving Glover was appointed second assistant postmaster general today succeeding Paul Henderson, resigned, and Robert S. Rozer was named as Mr. Glover's successor as third assistant postmaster general.

CITY ZONING ORDINANCE IS ENACTED

Act Conferring Extended Regulatory Powers On Commission of Ten Given Approval.

If the city zoning and planning commission to be appointed by Mayor Giesey at an early date proves to be imaginative, the enactment of the city zoning ordinance which passed the city council last night will prove to be the most advanced step yet taken toward actually making Salem "The City Beautiful," which for years has been the boast of loyal Salemites.

Only three aldermen, Galloway, Purvine and Roselbaugh, voted against the measure. Thompson, Alderlin and Simeral were absent. Old Board Legalized. Several months ago Mayor Giesey appointed a special zoning committee, but it was found that this committee could not operate legally, and to comply with the state law it was necessary for the ordinance passed last night to take its place among the city statutes.

Alderman Dancy, who has had a leading part in the movement, explained that the ordinance is an exact copy of the state law. The law is now on trial in the supreme court on a question of constitutionality because of litigation arising in Portland where Judge Robert G. Morrow held it unconstitutional. The ordinance provides that the commission shall consist of the

PROPERTY LOSS IN CLOUDBURST NEARLY \$400,000

Trinidad, Colo., July 23.—Fair skies and a warm sun today greeted inhabitants of Trinidad as they returned to their homes and prepared to check up property damage resulting from cloudbursts late yesterday.

No casualties are reported following the heavy rains that sent the Purgatorie river out of its banks last night, but property damage may reach the \$400,000 mark. Property loss included washouts on bridges and highways and flooded basements in business houses and homes along the river bottom.

Train service on all railroads entering the city is practically demoralized. With six hundred feet of track and a steel bridge gone between here and Raton, N. M., the Atchafalaya and Santa Fe railroad today was unable to maintain service over its main lines from Chicago to California. Small ferries washouts have likewise interfered with the service on the Colorado and Southern and the Denver and Rio Grande systems.

Score of families, forced to flee to the uplands last night, returned to their homes today after a night spent in uptown hotels and rooming houses.

GIRL SHOTS TO DEFEND MOTHER

St. Louis, Mo., July 23.—(AP)—In defense of her mother, Dorothy Holmes, 15, lobbed heated high school student, last night shot and seriously wounded her father, Burton Holmes, 50, a pharmacist, at the St. Louis county residence near here. Holmes, who was wounded in the left shoulder, attributed the shooting to the reading of "dime novels" by his daughter.

When Holmes returned from work he appeared to have been drinking, the mother and daughter said. "When father came in," Dorothy told a deputy sheriff, "and started beating mother, I picked up a shot club and broke it on his head and then took the revolver from a dresser drawer."

Charge of Assault Based on Theft of False Teeth Heard

Testimony in the trial of James Raker, charged by the state with assault with a dangerous weapon on the person of John Anderson opened in circuit court today, with the prediction that the case would go to the jury late this afternoon.

Anderson himself was the first witness today to tell the story of the alleged brutal assault, which occurred in Raker's home near Woodburn on March 21 of this year.

According to the story told by Anderson he was employed by Raker as a cook, after working for him twice before. He stated he had come into the house and was peeling potatoes, Raker evidently

letting asleep nearby. He declared Raker awoke and accused Anderson of having taken some of his money and his false teeth. He asserted that Raker first assaulted him by jumping on him and shaking him and then kicked him. He declared Raker followed this up by hitting him over the head and shoulder with a heavy banjo, which was introduced in evidence.

Anderson said he made his way out of the house, and a workman who was in a nearby cabin started to the rescue, but Raker started to follow him and the two went to the ground, the workman leaving hurt. (Continued on Page Eight)

KOZER WARNS OF LIGHT TESTING FAKERS IN STATE

Secretary of State Kozer says he is informed that certain salesmen of automobile headlamp devices are attempting to advise applicants for designation as headlight adjusting stations, as to the required equipment of these stations as they will operate under the new lighting law effective September 1. Also they are reported to be trying to instruct mechanics in the adjusting of the lights with respect to tools and other appliances.

"My office," said Kozer, "acting under the authority vested in me under the new law, has issued official instructions for authorized light adjusting stations and adjusters, which must be followed strictly in the equipping of the stations before they will be approved. Likewise, any mechanic before being authorized to make headlight adjustments will be required through an examination by state traffic officers to show his qualifications and fitness for making such adjustments."

"I am giving this notice today so that any persons proposing to establish adjusting stations may not be imposed upon by unauthorized persons, or mechanics desiring to fit themselves for light adjusting may not be misgaided with regard to the requirements. Every light adjusting station in the state must be approved by the secretary of state and all approved stations will display certificates of appointment. Light adjusters will have appointments from the secretary of state, and the motorist public should demand the exhibition of such appointments when requiring service at any authorized station."

IZZY EINSTEIN POSES AS ACTOR; BIG SUCCESS

New York, July 13.—Izzy Einstein has long been an actor but now he's gone and posed as one, much to the dislike of thirty members of the profession and the Fern club.

Representing himself as Ethelbert Santoro, a legitimate actor at liberty, Izzy got himself elected a member of an establishment in the roaring forties with a clientele confined to recognized members of the theatrical profession. Yesterday he introduced Mae Smith and two other federal agents. "They're actors too," said Izzy. "Say 'em up'."

POISON GAS OF DYNAMITE BLAST FATAL

Rescuers Seeking To Get Body of Polk Farmer From Bottom of Well Narily Overcome.

Dallas, Or., July 23.—(Special.) Overcome by dynamite gas at the bottom of a well on the Abe Siemens' farm, five miles north of here, Peter Reddekopp succumbed to the fumes, after two ineffectual attempts were made to rescue him in which two other men were overcome. Though the third attempt was successful and a physician was waiting at the top of the well and every effort was made to resuscitate the man, they proved unavailing.

Well Gas Filled. Reddekopp was employed to deepen the well and was being assisted by Siemens, the owner. Last night a dynamite blast was set off at the bottom of the well, about 30 feet deep. This morning Reddekopp descended in a bucket operated by Siemens from above. The dynamite gas had failed to rise and the bottom of the well was charged with it when Reddekopp reached bottom.

In a few moments Reddekopp signalled to Siemens to be pulled up and Siemens complied. When the bucket carrying Reddekopp was about half way up Siemens noticed that Reddekopp was apparently unconscious with his head hanging downward, and suddenly his body plashed from the bucket and fell to the ground below.

Rescuer Overcome. Siemens immediately enlisted the aid of a driver for the Nestles Food Milk company from McMinnville, whose name was not learned, and a neighbor, G. Gross.

The milk wagon driver made the first effort to bring out Reddekopp, descending into the well with a rope, which he endeavored to get around Reddekopp's body, but he was overcome before he could succeed and was brought up in a fainting condition. Siemens then made the attempt but also was overcome and hauled out. Gross succeeded in getting the rope about Reddekopp's body and the two men were hauled out.

Dr. A. H. Starbuck of Dallas, who had arrived while the efforts were being made to pull out Reddekopp worked over the body for over half an hour, but without avail. Reddekopp had been employed about Dallas for a number of years as an odd job man, well digger and general rouabout. He is survived by a widow and several children, a number of them very small.

DRAWS WIFE TO LAWN BEFORE KILLING HER

Whittier, Cal., July 23.—James McColbin, 56, a steam engineer, fired his wife, Della, 40, to the lawn of their home here early today, shot and killed her, then turned the revolver on himself and fired, but the bullet was deflected from his heart by a rib. He was taken to a hospital where physicians said he will recover.

Resident of Salem Seventy Six Years Observes Birthday

"Joe" Baver, longest time resident of Salem of any living man, is 76 years old today. Hale and hearty, with many years ahead of him, every inch of his six feet in stature being in best of health, he is a splendid example of what the particular Salem climate can do for a man. With a thrilling history, a man who knew Jim Bridger, the famous old leader of the covered wagon days, he has thrived on the over 100,000 biscuits which he says his wife has made for him during their married life and is ready for more. He came across the plains in 1847 when he was eight years old and during his residence in Salem

TRAIL BLAZING PLANES HOP OFF FROM MRENO

Reno, Nev., July 23.—(AP)—Six army planes flying over the air route from Mount Clemens, Mich. to San Francisco, hopped off from Reno at 11:50 a. m. today, according to word received at the air mail field here by radio. It is understood they will stop in Reno but will attempt to make the flight from Reno to San Francisco without further stops.

Tourists Say Salem System of Parking Antiquated Method

That the parking system as it exists in Salem is "very unusual" and difficult, particularly for the passing tourist, was emphatically declared by Mr. and Mrs. Lyle Smith of Eton Rapids, Michigan, who have been in Salem for a period of something over two weeks, and are stopping at the Salem auto camp. "Just look what they did to my bumper the first day I was in Salem," said Mr. Smith this morning, pointing to a bend in the right end of his front bumper. "I hadn't left it parked downtown more than half an hour. When I came back I found somebody had tried to back into the curb and park beside my car. They couldn't see where they were going, and rammed into my bumper."

TWO SWIMMERS DROWNED

Bis, France, July 23.—Mrs. Williams, an American woman whose address is not yet available and James Heit, an English artist, were drowned while sea bathing near here today. Mr. Heit lost his life attempting to rescue Mrs. Williams. A daughter of Mrs. Williams was rescued.