CIRCULATION
Daily average net paid circulation for month ending June 30, 1925
6729
Average daily distribution 7089.
Member Audit Bureau of Circulations.

Capital Journal

FAIR WEATHER
In interior, cloudy on coast tonight and Tuesday; gentle winds.
Local: Max., 90; min., 57; rain, none; river, -1.5; atmos., clear; wind, north.

FORTY-SEVENTH YEAR No. 177 — SALEM, OREGON, MONDAY, JULY 27, 1925 — PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

OREGON AGRICULTURAL COLLEGE JUL 28 1925 LIBRARY

BRYAN'S BODY LIES IN STATE

ARMENIANS HELD WHITES BY U S COURT

Decision Victory For Asia Minor People—Eligible To Naturalization As Americans

Portland, Or., July 27.—(By Associated Press.)—Armenians are eligible to naturalization as American citizens, Federal Judge C. E. Wolverton decided today.

In the noted "Cartozian case," the judge handed down a decision that was an entire victory for the Asia Minor people.

As the entire proceeding was a test case it is expected that the government will appeal to the United States supreme court.

Under direction of former United States District Attorney John S. Coke, the federal government had sued for annulment of the naturalization papers of Tatos O. Cartozian, a member of the local firm of rug dealers.

The case of the government was based on the assumption that Armenians are of Asiatic descent and therefore not eligible to naturalization.

Judge Wolverton, in a decision that took him 25 minutes to read, held otherwise. The chief points he covered were:

Of Alpine Stock.

1—That Armenians in Asia Minor are of "Alpine" stock and of European persuasion.

2—That they are white persons as commonly recognized in speech of common usage and as popularly understood and interpreted in this country by our forefathers and by the community at large when the law regarding naturalization was adopted by congress.

3—That they amalgamate readily with the white races, including the white people of the United States.

Time Element Important.

The time element was an important feature, for the government had asserted that, even if Armenians were considered white at present, they were not so classified when the naturalization law was passed.

It was the intention of the early legislators of the country to bar them, the government alleged.

The decision took the opposite view.

The action against Cartozian was purely of a test nature and had no personal element in it, according to the federal prosecutors.

FIND MURDERED MAN RESIDENT OF CITY ONCE

Quest by Sheriff Bower and his deputies for some information as to James W. Allen, killed in Phoenix, Ariz., by a Japanese and buried as an unidentified Mexican, but afterwards discovered to be an old resident of Salem and Dallas of this county, is beginning to take on shape which may lead to discovery of the whereabouts of the dead man's relatives, although as yet the clews are slender threads to hang onto.

Mrs. C. E. Tuel, North Brooks avenue, has sent a note into the office of the sheriff containing information which she believes will shed some light on the mystery.

She states that in 1915 a man named James W. Allen worked for her as a carpenter at North 20th and D streets. She stated he was married, that he had a wife and child and she thinks the wife and mother were with him then. She says he told her that he was raised here, but was born in the east and that he worked both in Salem and Dallas. She said he had dark complexion, was a little over 30 years of age at the time and was rather tall and slender. She says she positively remembers the name and that she also has a receipt for cash which she paid to him.

Search of old city directories reveals that there was a carpenter here at that time by the name of John W. Allen, but no James Allen. However, Mrs. Tuel's description generally fits the description received from Phoenix covering the dead man there.

LEGALITY ASYLUM LAW IN QUESTION

Judge McMahan Refuses To Grant Writ Altho Admitting Flaws In the Present Law.

Circuit Judge McMahan this morning told attorneys in the Grant Mann habeas corpus proceedings that there is a very grave doubt as to the constitutionality of the law covering commitments to the state insane hospital he nevertheless overruled the demurrer of the petitioners to the state's return on the writ.

He took this procedure because of the grave seriousness of a situation which would exist if the statute were declared unconstitutional, and inasmuch as it is a question which must be decided by the supreme court in the final analysis.

In event the courts were to declare this statute unconstitutional it would mean that hundreds of persons who are now committed to the asylum would be in the institution on invalid commitments and unquestionably an avalanche of writs of habeas corpus would follow.

These, no doubt, would necessitate the calling of special session of the legislature to remedy the defects in the statute if they exist," and Judge McMahan intimated very strongly this morning that such defects do exist.

The present habeas corpus proceedings are brought by J. G. Mann of Hillsboro to secure the release of his brother Grant Mann, committed to the state hospital from Washington county.

MOONSHINER GETS IMMUNITY FOR EVIDENCE

Acting on recommendation of District Attorney Carson, Judge Kelly today paroled from the bench Paul Muno, confessed moonshiner, after a sentence of six months in jail had been imposed on Muno. Muno, a Pringle rancher, pleaded guilty to a moonshining charge, after he had revealed to the officers that Harry Bloch had been operating a still on the Muno place and had enlisted Muno's assistance in such operations.

District Attorney Carson, in making a statement covering Muno's case when Muno appeared for sentence, declared that Muno made it possible to detect Bloch's operations and that in all likelihood the officers would not have located the still, for some time at least, had not Muno gone to the district attorney's office voluntarily and given himself up, and at the same time turned Bloch in.

"Prior to this offense Muno has borne a good reputation," Carson told the court, "and I have every reason to believe he will not offend again. Without his help to the officers the still no doubt would yet be in operation."

On the witness stand in the Bloch case Muno stated that he turned Bloch in for the reason that Bloch had given him worthless checks in paying Muno for operating the still for Bloch. Bloch on the other hand raised for his own defense the contention that Muno was insanely jealous of his wife, suspecting her of being infatuated with Bloch and turned Bloch into the officers as a means of revenge, although Bloch denied both his bootlegging operations and any infatuation for Muno's wife.

Bloch is in the county jail following conviction, awaiting sentence which is due to be imposed tomorrow.

SECOND APPEAL FOR CHARITY FUNDS ISSUED

A second appeal for funds for the Associated Charities was made this morning by Mrs. John A. Carson. Including $5 received today, only $13 of the $150 recently asked has been donated, Mrs. Carson states. "This only a drop in the bucket," said Mrs. Carson this morning.

1925 Survey Edition of CAPITAL JOURNAL

Will Be Issued Tomorrow, Tuesday, July 28.

Containing an up-to-date survey of the industries, resources, progress and development of Marion and Polk counties, Salem, Woodburn, Stayton and other cities.

Order your extra copies at once to send away—

PRICE 5 CENTS

LARGE TIMBER HOLDINGS SOLD TO M'CORMICK

San Francisco, July 25.—(A. P.)—The Charles R. McCormick lumber company of San Francisco, a Delaware corporation today announced the purchase for approximately $20,000,000 of the timber holdings, saw mills and other property of Pope & Talbot, located in the state of Washington. The deal is said to be one of the largest transactions involving manufacturing plants and timber negotiated on the Pacific coast.

The McCormick company has operated two saw mills at St. Helens, Ore., for several years but the new holdings will add approximately 80,000 acres to the company's properties, with timber cruising of approximately 3,000,000,000 feet. In addition the properties will include two large sawmills on Puget Sound, one at Port Gamble and the other at Port Ludlow, with cargo shipping facilities, hotels, logging railroads and other properties.

Through the deal the Pope and Talbot interests will become large stockholders in the Charles R. McCormick lumber company with adequate representation on the board of directors.

The purchase will necessitate the building of a new sawmill plant at Port Gamble, involving the expenditure of approximately $1,500,000.

Two holdings of the McCormick interests are not included in the transaction, the McCormick steamship company of San Francisco and the Charles R. McCormick lumber company of Portland, Ore

WOMAN BADLY HURT IN WRECK

Mrs. Frank Enns of Reedley, Cal., was seriously hurt when the roadster in which she and her son in law were driving collided with a car driven by J. W. Pease, taxi driver of this city, on the Pacific highway four miles north of Woodburn at 7:30 o'clock last night. Aaron Neufield, Mrs. Enns' son in law, escaped without a scratch.

Pease and his wife, who was riding with him, were both slightly injured.

Mrs. Enns had her right knee cap shattered, her left leg broken, her nose broken, and was badly bruised about the body. An X-ray examination was to be held late this morning, physicians believing that she might have serious internal injuries. She was taken to the Salem Deaconess hospital shortly after the accident occurred last night.

Mrs. Pease was slightly cut about the face. Mr. Pease suffered a few bruises. The car driven by Pease was coming south from Portland. The one driven by Neufield was going north, he and his mother in law being on their way from Dallas to Portland to visit relatives.

Both cars were badly damaged.

TELLS OF PLOT TO CARRY OFF FILM BEAUTY

Witness Details Conspiracy For Kidnapping Mary Pickford, Pola Negri and Other Stars.

Los Angeles, Cal., July 27.—(A. P.)—The prosecution's first witness, M. T. Harney, cafe man, took the stand here today in the trial of three men accused of plotting to kidnap Mary Pickford, film star, with a recital of the purported origin of the plot back in May, 1922.

Harney, who said he had been a roommate of C. Z. Stephens, one of the accused trio, recounted conversations between the two which sought to alight on a means to "pick up some easy money."

He said they had discussed kidnaping Pola Negri, film star, but abandoned the idea because they believed she did not have enough ransom money available to make it worth while.

He told how a plan to kidnap Jackie Coogan, juvenile film star, was dropped because Coogan was a court ward.

The Pickford plot, he swore, was threshed out in 1922 and its discussion resumed in March of this year.

Defense attorneys objected to this entire line of testimony because it referred to only one of the assaults, and the court ruled that it would be stricken out if the prosecution later did not make good is promise to connect the other accused, Adrian Wood and Claude Holcolmb, with Harney's testimony.

DISMISSAL OF EVOLUTION SUIT ASKED OF COURT

Washington, July 27—(AP)—Washington authorities asked the District of Columbia supreme court today to dismiss the action of Loren H. Wittner, who charged school authorities with teaching disrespect for the Holy Bible.

The court was asked to set Friday as the date for hearing on the motion and this probably will postpone the hearing on Wittner's complaint which was scheduled for tomorrow.

Four grounds for dismissal were outlined as follows:

That Frank W. Ballou, superintendent of schools and W. P. Hay, head of the department of biology who were charged with teaching or allowing to be taught the subjects complained against, were not named as defendants in the suit, which seeks to stop their salaries.

That Wittner has not shown that he would suffer any injury different from any other taxpayer.

That the complaint lacks precision, consisting of statements of theories and conclusions on Wittner's part and that no facts are stated as to matters alleged to be taught in disrespect of the Holy Bible or in what particulars they are in disrespect.

That no facts are alleged or shown which are within the meaning of the statute, which prohibits expenditure for salaries to persons teaching disrespect for the Holy Bible.

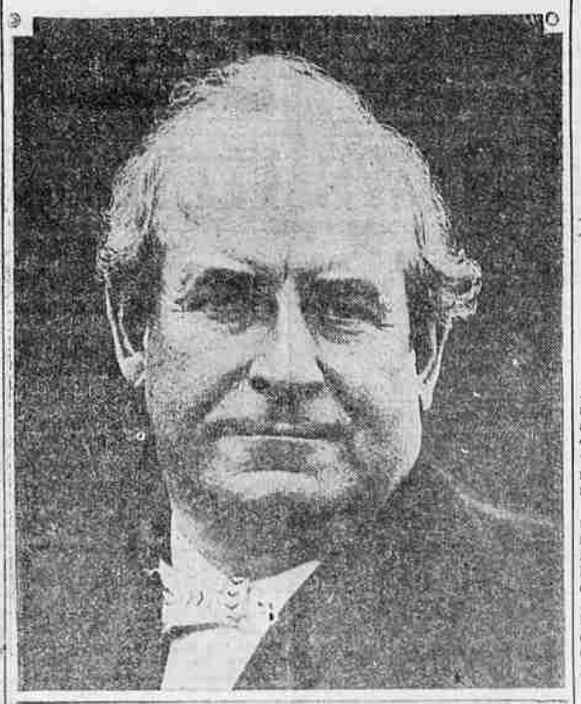
NORMAL STUDENTS HEAR DRAMA AND OPERETTA

Monmouth, Or., July 27.—On the evening of July 23 the student body here had presented to them some very fine work by the dramatic and music classes of the school.

The dramatic class under the direction of Bernice Gochring presented very ably "Chinese Fantasy." Alice Peterson had charge of the music and Eva Perryman the costuming for the play.

Following the play, the operetta "The Feast of the Little Lantern," was given. The parts of the Japanese juggler maid taken by Jeanette Miller, and that taken by Katherine Starr were especially well done. This was under the direction of Louise Woodruff.

Passes Away While in Slumber



William Jennings Bryan

Some of Bryan's Most Famous Utterances of Long Political Career

Some of the commoner's famous utterances:

"You shall not press down upon the brow of labor this crown of thorns. You shall not crucify mankind upon a cross of gold."

From speech in Chicago convention in 1896, which won the first of three presidential nominations:

"My heart is in the grave with our cause. I must pause until it comes back to me." Comment after defeat of 1920 dry plank.

"I would rather have the anathemas of those misguided democrats than to have to answer on judgment day for a duty disregarded and a trust deserted." From speech in New York convention of 1924 against platform on the denunciation of the Ku Klux Klan by name.

"When we take the bible away from our children there is nothing left. The evolutionist that guesses the most times is the best scientist." From his last speech made at Winchester, Tenn., Saturday.

"Any atheist, agnostic, unbeliever can question me at any time as to my belief in God, and I will answer him. The bible is good enough to live by and to die by."

From his cross examination by Clarence Darrow.

"There was never a year since my nomination in which I could have not made a million had I taken the side of privilege and favoritism." Commenting in 1925 regarding rumors that he was a millionaire.

From various speeches and sermons estimated to total 10,000:

"The humblest citizen in all the land when clad in the armor of a righteous cause is stronger than all the hosts of error.

"American civilization will imprint its flag upon the hearts of all who long for freedom."

"Awaken, oh, ancient law-giver, awake."

"Break forth from time unmarked sepulchre and speed thee back to cloud-crowned Sinai."

"Millions for defense, but not one cent for conquest."

"Truth will vindicate itself; only error fears free speech."

"The people who in 1776 rejected the doctrines that kings rule by right divine will not, in this generation, subscribe to the doctrine that money is omnipotent."

MEMORIAL TO BRYAN PROPOSED

Portland, July 27—A national memorial in honor of William Jennings Bryan was proposed here today at a meeting of Oregon democratic leaders with Dr. C. J. Smith chairman of the state democratic central committee. A committee of 25, with Governor Walter M. Pierce honorary chairman, and Milton A. Miller, former state senator, active chairman, was named to initiate the movement which it is intended to make nation-wide.

"We feel that the distinguished services rendered to the country by William Jennings Bryan entitle him to a national memorial, and Oregon is taking the initiative in the movement," said Dr. Smith. "Nothing definite as to the nature of the memorial has been suggested yet, but we hope that it will be suitable permanent recognition of the efforts of the great commoner in behalf of the welfare of the people of the country."

$850,000 PAID FOR SARGENT'S PAINTINGS

London, July 27.—(A.P.)—A total of 175,260 pounds sterling or roughly $850,000 has been paid for 237 pictures by John Singer Sargent during the auction which closed today of the works of the American artist. This is believed to be a record for the sale of paintings by a single artist.

STOLE 3 AUTOS TO VISIT GIRL

On overpowering desire to visit his girl friend over in Idaho caused J. Frank Jensen, who lives at 819 Mill street, Salem, to steal three automobiles, according to his admissions to police officers after his arrest last night by Officer Cutler. Jensen, the officers say, has heretofore borne a good reputation in Salem and has had a year's study at Willamette university.

First, according to the allegations, Jensen stole a Ford coupe from Jess Fikan of Woodburn and drove it to New Plymouth, Idaho. Then he drove the coupe to Nampa, Idaho, back to New Plymouth and left it in a garage. Returning Salemward, he got a lift from a tourist as far as Baker. At Baker he stole a Ford runabout which he drove to La Grande? He abandoned the runabout at La Grande and stole another Ford coupe in which he drove to Salem. The license number of the last car taken is 197-658.

Jensen was arrayed before Justice Small this afternoon and bound over to the grand jury on $1,000 bail on the charge of stealing an automobile.

Three Killed by Airplane

Detroit, Mich., July 27.—Three persons were killed here yesterday when an airplane made a forced landing and caught fire. The dead are: Milton Stein, 24, the pilot, and Mrs. Violet Fleming, 20, and Miss Evelyn Herzog, 110, passengers.

COMMONER PASSES AWAY WHILE ASLEEP

Nebraskan Found Dead In Bed At Dayton After Retiring For Afternoon Nap On Sunday.

Dayton, Tenn., July 27.—(By Associated Press.)—William Jennings Bryan, who many years ago as "the boy orator of the Platte," with his "cross of gold" speech, won a democratic presidential nomination and a lasting place before the American public, is dead.

The end came yesterday afternoon while the commoner was sleeping in the house of Richard Rogers, which had been assigned him during his stay here, when he came for the Scopes trial. Dr. W. F. Thomason and Dr. A. C. Broyles, who examined the body, stated death was caused by a hemorrhage of the brain, resulting in apoplexy. He was 65 years old.

James McCartney, family chauffeur, was sent by Mrs. Bryan at 4:30 p. m. to wake her husband. McCartney shook Mr. Bryan twice in an attempt to arouse him and then noticed he was not breathing. Rushing to the home of A. B. Andrews, a neighbor, the chauffeur called for physicians, who reached the home within a

(Continued on Page Five)

COMMISSIONS BEING PACKED STATES NORRIS

Washington, July 27—(AP)—A charge that the Harding administration inaugurated, and the Coolidge administration has pursued a system of "packing" the various government commissions with reactionaries, was made by Senator Norris, republican, Nebraska, in a formal statement made public last night.

"It is not only the federal trade commission, but also the tariff commission and the interstate commerce commission," Senator Norris said, "to which such apointments have been made." Referring then to the appointment of William E. Humphrey to the federal trade commission, the Nebraska senator said that what should be done is "to advocate and if possible carry out the repeal of the law providing for the federal trade commission."

"Everybody knows," the senator added, "that the majority of the federal trade commission, honest though they may be personally and individually is so imbued with reactionary sentiment and so partisan in their make-up, that they would not see a wrong committed by a big trust or a monopoly, even though it did appear as 'huge as high Olympus.'

"So what is the use of having a federal trade commission. If we are going to let the big fellows eat the little ones up, why not let them do it directly without burdening tax-payers with the expense of selecting some reactionary men to give approval to the devouring processes."

COUNTY TAXES ARE BEING PAID

With over half of the $1,570,000 tax roll for Marion county now paid up, members of the tax collection department in Sheriff Bower's office, are confident that the taxes this year will be paid up earlier and cleaner than for a number of years. Payments are pouring steadily in and when the last half payment become due in October it is believed the cleanup will be rather rapid and quite thorough. Farmers generally are in a better condition to pay taxes than for many years. Regardless of short crops most of the fruitmen made some money this year and with good wheat crops being threshed and high prices in prospect farmers generally will have money.

BURY BRYAN WITH '98 VETS AT ARLINGTON

High Spot Near Monument To Maine Survivors Selected—Body Lies In State.

Washington, July 27.—(A. P.)—Funeral services for William Jennings Bryan will be held here on Friday afternoon and burial will take place late that day at Arlington.

Washington, July 27.—(A. P.)—A spot high on the slope of Arlington overlooking the capital and near the monument erected to those who died on the Maine, was tentatively selected today as the burial place of William Jennings Bryan.

Dayton, Tenn., July 27.—(A. P.)—The body of William Jennings Bryan will lie in state this afternoon between the hours of 2 and 5 o'clock, while the public will be invited to view the body, Mrs. Bryan and a council of friends decided today. The place will be the home where Mr. Bryan died or the Rhea county court house, where he fought his last great battle.

The body will move on a special car for Washington, Wednesday morning.

The funeral party, which will include the widow and an escort of Dayton friends, is expected to reach the national capital early Thursday.

Those named were all associated with Mr. Bryan in the recently hotly contested legal battle here. No ceremonial guard of honor will be in attendance on the body of the statesman, in accordance with the expressed wish of Mrs. Bryan, who told her friends, "we are simple people, and we want all arrangements simply made."

Mrs. Bryan, though an invalid, confined to a chair, continued to display remarkable resolution in the unexpected death of her husband. She gave directions for all arrangements which have been determined upon.

From 2 until 5 o'clock this afternoon the body of Mr. Bryan will

(Continued on Page Five)

WOODHOUSE TO SOJOURN IN JAIL

Portland, Or., July 27.—W. Woodhouse, Silverton, Or., hotel man, has moved to Portland and is likely to make his residence here until the middle of January. He is planning to reserve a suite in Sheriff Turlburt's exclusive hostelry at Kelly Butte.

Mr. Woodhouse, who spent considerable time Sunday in dallying over wine barrels in south Portland, started to drive his automobile out Macadam road, police said. He collided with a car driven by J. W. Smith, 1352 Kelly street, and wrecked it.

When the police arrived they found Mr. Woodhouse on the wrong side of the streets. He was still at the wheel of his car and boasted that he had taken 20 or 30 drinks of wine that afternoon, police said. He went to jail on a charge of driving while drunk and his companion, J. Prouse, was held for drunkenness. According to the dictum of the city's municipal judges, who hold that nothing less than six months in jail shall be the penalty for drunken driving, Woodhouse now stands an excellent chance of making Portland his home for the next six months.

BRYAN WELL SATISFIED WITH RECENT EFFORTS

Winchester, Tenn., July 27.—(AP)—Before leaving here Saturday after delivering an address, William Jennings Bryan, who died suddenly in Dayton yesterday, made the following statement to a reporter:

"If I should die tomorrow I shoul' feel that much has been accomplished in the greatest cause for enlightening humanity ever known. I believe that on the basis of the accomplishments of the past few weeks, I could truthfully say, well done."