

APPEAL SCOPES CASE TO FEDERAL COURT

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FAIR WEATHER
Tonight and Wednesday, moderately
warm in the interior; light westerly
winds.
Local: Max., 82; min., 52; rain, none;
river -1.7; atmos., clear; wind, north.

FORTY-SEVENTH YEAR No. 184

SALEM, OREGON, TUESDAY, AUGUST 4, 1925

PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

HEAD-IN-AUTO PARKING WINS

SECOND TRY FOR TRANSFER SCOPES CASE

Injunction Sought Against State's Enforcing Anti-Evolution Law On Unconstitutionality.

Chattanooga, Tenn., Aug. 4.—(A. P.)—A second attempt to remove the John T. Scopes evolution case to the federal courts was launched here today when Dr. John R. Neil, chief counsel for the defense of the teacher, filed a petition with the clerk of circuit court, asking to restrain state authorities from further prosecution of the case.

The move marked the second attempt to carry the fight against the law which prohibits teaching of evolution in public schools of Tennessee, into the federal courts. The first attempt, when a petition to transfer the Scopes case, in the federal courts, was filed at Knoxville by Dr. Neil, met failure through the refusal of Judge Gore to interfere. At the same time a petition of Robert Wilson, a taxpayer, seeking to enjoin state authorities from enforcement of the law was refused.

The petitioner today will be Robert Wilson, who appears again in the effort to restrain the state authorities from enforcing the law on the ground his children would be deprived of being taught the "truth" in the public schools. Under a federal statute Dr. Neil said applications to enjoin enforcement of the state law must be heard by three judges, at least one of whom must be a member of the United States circuit court of appeals.

Dr. Neil announced that immediately after filing the petition he would leave for New York to confer with Dudley Field Malone.

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RAIL MERGERS SOLVE PROBLEM SAYS COOLIDGE

Swampscott, Mass., Aug. 4.—(AP)—Voluntary consolidation of railroads in President Coolidge's opinion would pave the way to a solution of the transportation problem.

While he has refrained from committing himself on the proposal, the president is watching with interest the efforts of the Van Guilderberg interests to receive interstate commerce commission approval of their merger plan. He believes that settlement of the points at issue will make it possible for other transportation systems, now at sea as to whether they can proceed with consolidation, to definitely proceed with their programs.

Mr. Coolidge, who in the past has advocated voluntary consolidation, wherever advisable is of the opinion that in this way the vexing rate problem can be solved. Transportation charges, he believes, could then be fixed at a level which would enable large operating systems to make a fair return on their entire business and would do away with the present conditions where some lines are making an enormous profit while others are making none.

POWER COMPANY REBUILDING LINE

Falls City, Or., Aug. 4.—The Mountain States Power company has quite a crew of men at work here. They are unloading a carload of poles and stringing them along the highway between here and Dallas and another crew is putting in lines for meters and wiring houses and they expect to have everything in readiness by the 20th of August.

COOLIDGE TO RECALL FARM CONFERENCE

President Asks Agricultural Board to Map Out Legislative Program For Farm Aid.

Swampscott, Mass., Aug. 4.—(AP)—President Coolidge will recall his agricultural conference to map out a legislative program for farm aid.

The conference, which was appointed a year ago, presented a program to the last session of congress and the principal recommendation was for government aid of cooperation.

Coming before congress in the closing days of the session the conference report failed of approval with considerable opposition, voiced to some of its main proposals.

Cooperative Marketing.—Speakers for the farming territories told the president that this summer, however, that they believed cooperative marketing legislation to be the principal needs of the farmers and that the president has determined to again leave the problem in the hands of his conference, headed by Robert D. Carey of Wyoming.

Secretary of Agriculture Jardine served on the conference before appointment to his present position. Some opposition was apparent to the conference report last session in the department of agriculture as well as in congress.

Among other things the conference did not approve was the McNary-Hammon bill designed to encourage exportation of superfluous farm products.

Conditions Better.—Since coming to Whitecourt, Mr. Coolidge has given considerable attention to the agricultural situation and has now as his guest John T. Adams of Iowa.

The executive understands from the reports he has received that the economic situation in farm areas is improving with prices of most of the products described as very good. The only unfavorable condition is reported to him as resulting from poor crops in certain restricted sections.

Both Senator Curtis of Kansas and Representative Prunell of Indiana who visited the president here, declared farming conditions were showing a steady improvement and were approaching normal.

STATE RESTS IN SCOTT HEARING

Chicago, Aug. 4.—(A. P.)—The defense rested in the Russell Scott insanity hearing after offering the testimony of five alienists who said they found the prisoner insane last week.

Chicago, Aug. 4.—(A. P.)—Mrs. Rilla Scott of Bayville, Ohio, mother of Russell Scott, took the witness stand today to testify in behalf of her son, whose life is at stake in the insanity hearing before Superior Judge Joseph B. David.

Mrs. Scott said Russell was her second child, born 31 years ago.

West Salem Orders New Pump to Add to City Water Supply

West Salem, Or., Aug. 4.—A new water pump to be installed as part of the West Salem city water system was authorized by the West Salem city council at its meeting here last night. The new pump will cost \$1565, and will add 2000 gallons an hour to the capacity of the water system. The present pump, which has a capacity of 5000 gallons an hour, will be kept in the possession of the city with a view to adding its power to that of the new pump if the necessity ever arises. The new

Sparks From Donkey Engine Start Fire Black Rock Section

Falls City, Aug. 4.—Sparks from donkey engines in the Falls City Lumber company holdings started a serious fire in the green timber five miles south of Falls City about noon today. All the men from the camp and from the mill were rushed to the scene to fight the flames. The fire started just over the divide on the south side of the mountain. At two o'clock today it covered an area of nearly a mile. The manager of the lumber company, M. D. Hummel, is supervising the fire fighting squad.

ARCTIC PLANES IN TRIAL FLIGHT AFTER ERECTION

Washington, Aug. 4.—(A. P.)—Two of the navy planes with the MacMillan Arctic expedition have been assembled at Etah, Greenland, and a successful flight with one of them was made for 30 minutes last night.

The take-off was made from the water and it is assumed it will not be necessary to build a runway.

Lieutenant Commander Byrd, commanding the navy section, in a dispatch filed last night to the navy department said:

"Naval unit started work early with first sunlight since arriving here.

"All mechanics sent to work on NA-2, which was erected at 2 p. m. All hands were brought work on NA-3, which was erected by 9 p. m. and hauled out and tied up to buoy 100 feet from beach. NA-2 took off for test hop at 9 p. m. and had break down. Hop—(sic) at 9 p. m. and remained in the air 30 minutes and at 9:35 p. m. it moored to buoy near NA-3. Lieutenant Schur, pilot, Reiche (aviation machinist's mate) a mechanic and Commander MacMillan passenger. Flight was successful." (Some details of the message apparently were garbled in transmission.)

COUNTY SPENDS \$35,000 ON POOR

The county this year will probably expend \$35,000 on its poor as compared to \$35,000 expended last year, according to an estimate made by County Judge Hunt. This includes the poor farm and Deaconess hospital expense, as well as contributions made in individual cases.

While the poor situation is nowhere near like that which existed last winter, nevertheless, the county judge states, at the present time there are numerous demands being made on the fund.

In addition to the worthy cases constantly demanding attention, Judge Hunt states that the county is peculiarly blessed with its full share of undeserving poor, who work the county as long as they can and when officials discover they are shiftless and refuse to work and cut off county aid, they begin working denominations, organizations and individuals with varying degrees of success.

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BOARD DEFIES SCHOOL TEXT BOOK STATUTE

Written Opinion of Attorney General Ignored Increasing Mess Caused By Governor's Veto.

Under the law it is incumbent upon the educational authorities of Oregon to continue in use the two-thirds of the text-book list not now covered by contracts until such time as new adoptions are made by the text-book commission. But under the law, the text-book commission cannot make new adoptions until November, 1926. The law specifically points out the duty of the text-book commission and the state board of education, hence there is no emergency existing.

The above in substance is the opinion of Attorney General Van Vinkle, whose written opinion on the question was received today by the state board of education following his oral opinion which was delivered yesterday to the state text-book commission. In the face of that opinion the commission voted to meet August 20 and adopt new books.

The opinion quotes the law of 1923 which says: "The state board

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KIWANIS SEEKS BROADCASTING STATION HERE

Agitation was started at this noon's luncheon of the Kiwanis club to establish a radio broadcasting station at Salem. The proposition was briefly considered, but finally tabled as being a matter not properly the business of a service club. "It would be a good thing for the city as a whole to put over," said C. B. McCullough, president of the Kiwanis.

J. H. Hallcock, head of a Portland radio corporation, was the chief speaker of the occasion, having been invited from Portland for the express purpose of outlining the methods and cost of building a small broadcasting station at Salem. He declared that the initial cost would be approximately \$1500 for a small 50 watt station that could be heard for a maximum distance of 2000 miles on winter nights. His company formerly operated a broadcasting station at Portland of about that capacity, he stated. On summer nights it would carry for some 500 miles. During the day it could be heard for perhaps 50 miles, Hallcock stated.

Fees derived by charging various business organizations for the privilege of putting their programs on the air would more than pay for the running expenses of the station the speaker claimed. He suggested a price of \$15 an hour. The Oregonian receives \$20 an hour and some stations in the east run as high as \$600 an hour, he stated.

Portland, Aug. 4.—(AP)—Headed by half a dozen of America's leading golfers, 214 knights of the Columbia river highway to playing golf here, and they were taken on trips arranged by the chamber of commerce.

Those who preferred playing golf were taken to Portland's courses. Jim Barnes, British champion, and Captain Carter, former Irish champion were paired against Redford Wilhelm, former Pacific northwest and Oregon state champion, and John Junior, professional at the Portland country club.

FAMOUS GOLFERS PLAY AT PORTLAND

Portland, Aug. 4.—(AP)—Headed by half a dozen of America's leading golfers, 214 knights of the Columbia river highway to playing golf here, and they were taken on trips arranged by the chamber of commerce.

\$200,000 Factory Insured to Salem By Incorporators

Articles of incorporation were filed today by the Western Paper Converting company, which will build and operate a factory in Salem. The capitalization is \$200,000 and the incorporators are E. A. O'Neill, F. W. Chausse and Lloyd Riches.

The company will immediately begin the construction of a plant on North Front street and expects to have the factory in operation in 90 days. The articles manufactured will be all paper specialties, including candy wraps, bon bon cups, glassine bags, lace papers, and adding machine paper. In addition it will have printing equipment for the labeling of paper containers of all kinds.

For a time there was doubt whether the plant would be located in Salem, Longview or Vancouver, Wash., but Salem offered advantages which appealed strongly to the promoters. Among these were the proximity of the big plant

of the Oregon Pulp & Paper company, which will furnish much of the paper used by the new concern and the fact that the pulp and paper company gave the new concern a site because of the commercial advantage of having it locate here.

The final obstacle to the location of the plant in Salem was cleared away last night when the city council approved a plan for the filling of the ditch on Division street, whereby the paper converting company will pay \$1500 toward the expense of filling the ditch and the Chamber of Commerce all necessary in excess of that amount. The dirt for filling the ditch will be obtained from streets where grading is in progress.

The building to be erected by the company will be about 100 by 204 feet in dimensions and will cost \$25,000 or \$30,000.

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OLD MANSIONS OF 5TH AVENUE CROWDED OUT

New York, Aug. 4.—(A. P.)—The luxurious Fifth Avenue real estate development in the seven months ending July 31 was approximately \$50,000,000. This is about one-third the total land and building expenditures in Manhattan for the same period.

What globe-trotting foreigners have called the most wonderful thoroughfare in the world, seems doomed to pass. Tomorrow one may hang his hat in a cafeteria where once a stately mansion rose.

Sale of the Cornelius Vanderbilt estate, holding the block between 57th and 58th streets, to a syndicate for "development" marks the collapse of the last redoubt in what was once the very stronghold of residential exclusiveness.

One by one the family holds of the Astor, Fish, Huntington and Vanderbilt lines have fallen to the unceasing beat of the waves of barters and sales.

The same inexorable pressure from the south which transformed lower Fifth avenue first into wholesale houses and then into loft buildings, has taken over the great gargoyled-fronted, bronzed doors villas of New York's admitted social leaders and with magic swiftness has changed them into exclusive shops and apartments.

GERMANY HESITATES TO EVICT POLANDERS

Berlin, Aug. 4.—(AP)—Germany still hesitates to order the eviction of Polish residents in Germany, who voted in favor of Poland in the plebiscite of 1920-21. In Upper Silesia and East and West Prussia, but have failed to comply with orders to leave the country by August 1. The Prussian ministry announced today that Germany's action will depend upon whether Poland forcibly evicts the Germans who voted for Germany.

and asserted no official cognizance would be taken of it. The chairman emphasized that the only way Dempsey could demonstrate satisfactorily that he wanted to meet Willis was to appear here personally, sign an iron clad contract fixing a date and place for the fight and post a suitable forfeit.

Meanwhile the chairman continued, Dempsey will not have the commission's approval to any "warm up" matches under the de-

Farley ridiculed Dempsey's eleventh-hour letter to the commission, insisting upon the sincerity of his desire to fight Willis.

VOTE TO CALL CITY ELECTION OCTOBER 20

Four Issues Likely To Be Submitted Voters, Including Amendments For Street Repair Fund

If a special city election is called in Salem on October 20 it is probable that at least four issues will be placed before the people for their judgment, according to developments at the city council last night when the special election ordinance was introduced and given first and second readings. It will be up for final passage in two weeks.

There is at present some doubt whether a bill to levy an assessment for \$10,000 for a preliminary survey of the municipal water question will be included among the ballot measures, no bill for the purpose being introduced last night when the other measures were presented.

Street Repair Levy.—Among the measures that will be on the ballot, if ordinances introduced last night accompanying the special election ordinance are favorably acted upon, will be the following: Charter amendment for special street repair tax of 1 mill annually. Charter amendment for special bridge fund tax levy of 2 mills annually. Measure calling for bond issue of \$20,000 for additional fire equipment.

In addition to these the question whether the city shall complete the purchase of a tract of between seven and eight acres from T. H. Kay near Kingswood for city park purposes in North Salem will probably be on the ballot. Mr. Kay appeared before the council last night and suggested that this be done, and the city attorney was instructed by the council to draw up the necessary ordinance.

Other ordinance bills introduced last night were: Segregating assessment for the

(Continued on Page Four)

ESPEE ACCEPTS EUGENE'S OFFER OF SHOP SITE

Eugene, Or., Aug. 4.—Definite announcement that the Southern Pacific Railway company will accept the proposed terminal site northwest of Eugene was made last evening at a special meeting of Eugene citizens. The promise of acceptance was contained in a letter from E. L. Burckhalter, first assistant general manager.

The text of the letter was: "The Southern Pacific stands ready to exchange about 225 acres of land it owns in the vicinity of Springfield for about 205 acres of land you offered us in the vicinity of Eugene on the basis agreed with you."

"If you will cause said lands near Eugene to be conveyed to us within a few months, we will, as agreed, promptly provide track and repair shop facilities necessary for establishing terminal for train and equipment, and thereafter establish such terminal, and also construct timber treating plant on the property."

The terminal, under the plans previously announced, would cover facilities for the Shasta route (main line of the Southern Pacific in this district) and would also provide for the Coos Bay branch and the Eugene-Klamath Falls cut-off.

In order to provide for the terminal site, a bond issue of \$175,000 has been proposed for the city of Eugene. A committee of more than 100 representative citizens was named yesterday to further the plans for the passage of the bond issue.

The bond election will be held August 18.

The estimated initial investment for the proposed terminal is said to be \$1,125,000 and the monthly payroll more than \$100,000.

Ban Put On Boxers Who Sign Up Bouts With Jack Dempsey

New York, Aug. 4.—(A. P.)—Though failing to take any further disciplinary action against Jack Dempsey for his alleged defiance of law in agreeing to fight Harry Wills, the New York state athletic commission decided it would suspend any boxer who meets the champion anywhere before he signs a contract and posts a forfeit to battle the giant negro challenger.

Farley ridiculed Dempsey's eleventh-hour letter to the commission, insisting upon the sincerity of his desire to fight Willis.

AUTOS PARK HEAD-IN IN NEAR FUTURE

Council Votes to Abandon Obsolete Backing-In Ordinance In Effect 10 Days After Passage.

Head-in parking of automobiles in Salem was adopted by the city council last night to supplant the present system of backing in. The vote in favor of the ordinance was 8 to 5, with one absent. The ordinance will be effective in 10 days after being signed by the mayor, and Mayor Grey said today that he probably will sign it today or tomorrow.

The vote on the measure was: For—Dancy, Engstrom, Williams, Galloway, Johnson, Purvine, Simmer, Thompson. Against—Alderin, Grabenhorst, Herrick, Patton, Wenderoth. Absent—Rosebraugh.

Included in the bill is a provision that seven-foot spaces be painted on the streets at 45-degree angles, and in these spaces the cars will park.

Patton was the only member who put up a hard fight against the bill. He first moved that it be tabled, and this was voted down. He then moved that it be indefinitely postponed, but the motion failed to get a second. It was necessary to amend the measure and for this purpose the council went into committee of the whole. Wenderoth moved to strike out the provision for the white lines on the streets, or the seven-foot parking spaces. Engstrom opposed this motion, declaring that the parking spaces were the key to the whole parking problem. William also wanted the lines, and Purvine said that he had been in favor of head-on parking for 10 years, but that without the painted spaces the system would be no better than the present system, inasmuch as the main object was to save space. Wenderoth's motion was lost.

Couldn't See Parades.—Engstrom objected to the provision that freight and delivery cars be required to back in to the curb between the lines, explaining that they would have to turn against the traffic stream before backing in. This provision was not changed.

When the measure went to final passage Patton predicted it would be repealed in 30 days. Grabenhorst objected that no motorist headed toward the curb would be able to see parades on the streets, and Mayor Grey mentioned several objections he had to the measure. He said he had never been converted to the idea, but would sign it if it passed.

Embezzled \$800,000.—Pittsburgh, Pa., Aug. 4.—(A. P.)—Fourteen charges of embezzlement, abstraction of funds of the Carnegie Trust company, involving more than \$800,000 were entered late today against John A. Bell, president of the closed bank.

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