

YOUNG TAKES LIFE IN CELL

STREET CAR LINES HERE APPRAISED

Valuation of \$565,000 Is Fixed For Rate Making Purposes By Public Service Commission.

The capital value of the Salem Street Railway on December 31, 1923, was fixed, for rate-making purposes, at \$565,000 in an order of the state public service commission here today. Because, however, the company has since December, 1923, abandoned its lines here on Summer and Seventh streets, the commission authorized a deduction from the \$565,000 valuation of \$24,000 in the place of which there is later to be added the capital investment required for the operation of automobile buses in substitution for the abandoned car lines.

Fixing of the capital valuation by the commission was made in connection with the investigation and suspension of the proposed increase by the Southern Pacific company in local tariffs. Ray L. Smith, former city attorney, represented the city in the hearing held August 19, 1924.

In its order the commission held in part:

Exact Cost Unknown.
"The investigation of the commission's staff shows that the exact cost to the Southern Pacific company and its predecessor, the Portland, Eugene & Eastern railway, for the street car system alone cannot be exactly determined. The investigation showed that at least \$56,500.00 should be deducted from the above amount (\$562,906.46) for property not used or useful in street railway operation and that the resulting \$566,048.27 represents a maximum of what the existing lines could have actually cost the present owner. It is quite possible that the amount paid to the Portland General Electric company for a property then having certain strategic advantage to the Southern Pacific system may have been in excess of the actual cost to the original owners."

"At the hearing the Southern Pacific company presented a claim for a parcel of land at the fair ground terminals which had not before been considered, which claim amounting to \$621.24 should be allowed. This increases the (1) normal reproduction cost now above set out to \$449,917.00, the (4) historical reproduction cost to \$466,177.43 and the (5) historical reproduction cost, less depreciation, to \$332,521.54.

Franchise Excluded.
"Among the other claims of value for the Southern Pacific company was the land value, chiefly represented by the lots on which the car barn is constructed. The basic value of this land, used by the railway company's land appraiser, was \$23,821.88, less than 20 per cent in excess of the appraisal of the realty commission of the city of Salem. To this basic land value, or amount which would have been received by the seller, there is applied various factors until there is built up a claim for value, amounting to \$51,692.72.

"This commission cannot countenance the acceptance of the application of factors which would (Continued on Page Seven)

STATE TO ASK HANGING FOR PRISON TRIO

Prosecution Constructs Its Case Around Fact That All Three Convicts Were Party To Conspiracy.

That the state will be forced to ask for the hanging of Ellsworth Kelley and James Willos on the grounds that they were parties to a conspiracy which resulted in the deaths of John Sweeney and Mill Holman, guards, during the prison break of August 12, is pretty well agreed among local attorneys who have inquired closely into the evidence.

To date there has been no positive evidence uncovered to designate either Kelley or Willos as the man who fired the shot that killed Guard Sweeney.

The prosecution, it is pointed out, must construct its case around the fact that all three of the convicts were implicated in the conspiracy that contemplated violence if necessary to make their escape and plead that the three, therefore, are equally guilty of any crime committed in carrying out the conspiracy.

Whether or not the two will hang on the strength of such a pleading will rest entirely with the jury, and the interpretation that the supreme court might place upon such evidence in the case of an appeal.

To support their contentions that participation in such a conspiracy constitutes a capital offense, those who sponsor it quote opinions of the supreme court holding parties to a conspiracy which results in the commission of a crime equally responsible.

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Uncle Billy Goes to Asylum With Murder Secret

"Uncle Billy" Hawkins, 60 years old, whose name electrified Salem 40 years ago when it was still a village, went out to the Oregon state hospital today from the Marion county poor farm, being committed by County Judge Hunt.

"Uncle Billy" Hawkins, in the neighborhood of 40 years ago, shot and killed Harvey Ogle on Front street near Court street, in what was said to have been a quarrel over a woman. Tumors and surmises never brought out the real story that caused had blood between the men and the trial in court did not reveal it. Hawkins went to the penitentiary where he remained for a number of years, and then received a pardon from Governor Lord. At the time of the shooting Hawkins was employed as a drug clerk.

Hawkins went into the hills back of Stayton and virtually dropped out of sight and the mind of Salem people. A year ago he was brought in from the Stayton country and committed to the poor farm. His mind had started to wander, his hand was unsteady and he was incapable of making his own living. During the year dementia had increased until today the examining physician found he should be placed under the care of state alienists and expressed the opinion that his days were numbered.

Harvey Ogle, the dead man, was employed as a clerk in the book store of H. D. Boone, located where the Patton book store is now located. Men who remember him say he was well liked and he was known to everyone in Salem, at that time a village of a few thousand inhabitants.

The shooting occurred between 9 and 10 o'clock in the evening, and what passed between the two men before it happened is not known.

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MAN SOUGHT IN MYSTERY MURDER CASE

Mother of Woman Slain in California Swamp Says Daughter Was Expectant Mother.

Oakland, Cal., Aug. 27.—(A. P.)—Dr. J. Loran Pease, a dentist, and Dr. J. J. Moyer, physician and surgeon, both prominent in Oakland, were detained by the police for interrogation today in connection with the death of Mrs. Bessie Loren.

Richmond, Cal., Aug. 27.—(A. P.)—In a lonely ravine running down to the bay shore near Point Richmond, Contra Costa county, and at another spot some distance away on the sandy beach close to an abandoned resort known as the Cozy Cove Inn, investigators of the El Cerrito swamp murder early today came upon several articles of an infant's clothing, a suit of man's athletic underwear, bloodstained, and a broken vial which officers declared contained a small amount of liquid which investigation disclosed was nitrate of silver.

Authorities are convinced the infant's clothing belonged to Mrs. Bessie Loren, Oakland nurse and supposed murder victim. The suit of man's underwear was turned over to expert investigators who are seeking to trace its ownership. The solution in the broken vial was said to resemble that commonly used in bathing the eyes of newly born infants.

The scene of today's discovery is at Cozy Cove on the Contra Costa county shore line. The region is sparsely settled and the country is broken. Roads there are not heavily traveled.

Oakland, Cal., Aug. 27.—(A. P.)—Announcement by Under Sheriff W. M. Veste of Contra Costa county that he had brought from Mrs. W. T. Ferguson, mother of Mrs. Bessie Loren, after a four hour grilling last night, the name of a "prominent San Francisco business man" whom he is seeking for questioning and the pleading together of bits of evidence which investigators said tended to establish that Mrs. Loren was killed or that her death occurred either in Oakland or some other east bay city, comprise the latest developments in the El Cerrito swamp murder mystery.

Contra Costa and Alameda county officials who last night submitted members of Mrs. Loren's family to a grilling at the Berkeley police headquarters said today that they had obtained information that Mrs. Loren, a divorcee long separated from her husband, expected to become a mother within less than a month after the date of her disappearance on August 19; that infant's clothing had been prepared and was in her possession prior to August 19; that she rented or (Continued on Page Seven)

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Report of Prison Probers to be Made Public Tomorrow

The report of the special committee appointed by Governor Pierce as a result of the recent break at the state prison, in which two guards and one convict were killed, will probably be made public tomorrow morning it was announced at the office of the governor this afternoon.

In response to a query addressed to the governor by the Capital Journal representative W. A. Delzell, secretary to the governor, made the following statement: "The report of the committee will not be made public before tomorrow morning, but I presume that it will be made public then."

DARROW SCORED FOR CONDUCT IN EVOLUTION CASE

Cleveland, Ohio, Aug. 27.—The conduct of Clarence Darrow in the Scopes trial in Dayton, Tenn., was pointed to today by Carrington T. Marshall, chief justice of the Ohio supreme court as an example of the unethical practitioner which would bring upon him the "condemnation of all self-respecting members of the bench and bar."

The chief justice's criticism was made in an address, to some 200 law students sworn in as attorneys here.

"The law of that case was plain and ample," he said. "Neither the indictment nor the statute under which the indictment was framed contained any mention of evolution, neither did they in the remotest degree involve or necessarily provoke any discussion of the theory of evolution."

"The Tennessee statute provided that it shall be unlawful for any teacher in any of the public schools of the state to teach any theory that denied the story of the Divine Creation of man or to teach that man descended from a lower order of animals. That the forbidden doctrine was so taught was freely admitted by the defendant. No defense was therefore open except that of the constitutional validity of the law itself."

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GRAND JURY HEARS GUARDS TELL OF BREAK

Report Not Expected Before Saturday—Long List of Witnesses Are Heard.

The Marion county grand jury examining into the charges of murder against Tom Murray, Ellsworth Kelley and James Willos, convicts who killed two guards in shooting their way out of the state penitentiary, may report sometime Friday but probably not until Saturday. It was stated when arraignment was taken for lunch this noon.

The jury is delving thoroughly into all of the evidence bearing on the break and the shooting of the guards, and before it reports is expected it will have examined more than 20 witnesses. Those who appeared before it this morning were:

W. E. Gardner, guard who rushed down to the guard's quarters at the time of the break to tower No. 1 and secured a shotgun from one of the guards who had been shot. Gardner claims that the shotgun was shot from his hands before he had a chance to use it.

L. T. Murphy and George Robinson, chapel guards.

S. B. Sondler, who testified before the coroner's jury that he recalled ahead of the fleeing convicts to the state hospital to warn the attendants there of the break.

There were no new developments in the situation at the prison today, and reports from there said that the three convicts were talking little and holding steadfastly to their original stories.

Governor Pierce and Warden Dainoff were in conference for nearly two hours in the governor's office this morning, but neither had anything to say regarding what transpired during the session. W. A. Delzell, secretary to the governor, told newspapermen that the conference related to parole matters.

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WIFE SLAYER SUICIDES IN COUNTY JAIL

Dr. Thomas Young, Facing Trial in Los Angeles, Strangles Self To Death In Jail Cell.

Los Angeles, Cal., Aug. 27.—(A. P.)—Dr. Thomas W. Young, dentist on trial here for the murder of his wife and the burying of her body in a cistern, killed himself in the county jail here early today.

County jail employees discovered the dentist's body in his cell where he had strangled himself with a piece of wire. He had been dead for some time when the body was found.

The wire used by Dr. Young was probably smuggled into him, the county jailer said. Permission had been asked several days ago to take a coil of wire into Young's cell, ostensibly for use in rigging a radio receiving set, but this was denied. The dentist had twisted the wire about his neck and then turned it tightly with a stick.

Assistant County Jailer George Palmer visited Young's cell at five minutes to six this morning and discovered that he had garrotted himself for court where his trial is in progress. An hour later, County Jailer Croushorn was summoned to the tank by the prisoner's distress signal. When he reached Young's cell the dentist was dead.

The jail physician arrived shortly and after an examination announced that Dr. Young had been dead for more than a half hour, and advised that the dentist's blankets were pulled off his body and himself a few minutes after the first call.

Harry B. Foster, cellmate of Dr. Young, said that the dentist appeared in high spirits after he was awakened at six o'clock.

"I'm going to sleep a little longer," Foster said Young told him, "call me when breakfast is ready."

Dr. Young then pulled the blankets over his head. Forty five minutes later, Foster said, he called his fellow prisoner and there was no reply.

"Don't be so lazy, doc, here's your ham and eggs," Foster called to him again.

When a reply was not had the second time, Foster said he threw back the covers to find that the doctor was dead. The inmate had bitten deep in the flesh—and the man who was on trial charged with murdering his wife in one of the outstanding crimes of Los Angeles county was dead.

Dr. Young was on trial charged with suffocating his wife February 21 last with a lethal gas and hiding her body in an uncompleted cistern at Glenview here. Then, the state charged, he poured concrete over the body a few days later. He was assisted by Patrick Grogan, Jr., the slain woman's son, who was not (Continued on Page Seven)

Skeleton Found In Cascades Reveals Fate of Lost Man

Eugene, Aug. 27.—Finding of parts of a skeleton and clothing in the pockets of which were papers containing his name, yesterday solved the mystery of the disappearance of Scott Kelley, railroad laborer, from one of the construction camps of the Southern Pacific railroad above Oakridge, on the new Eugene-Klamath Falls cut-off line across the Cascades. The skeleton and clothing were found by Dr. M. C. Harris, dentist, of Eugene, who is spending his vacation at that time.

Kelley disappeared last March, and for some time a search was instituted for him. No trace was found at that time.

Two weeks ago a woman who is staying at a ranch above Oakridge found a number of cards on which was written, "Come quick. I am sick and starving."

TAX ON INCOMES SOCIALISTIC IS SESSION STAND

Portland, Aug. 27.—(A. P.)—Denouncing the inheritance tax as socialistic and the state income tax as a foe to the investment of capital, members of the Western State Taxpayers' conference last yesterday passed resolutions against both of these much discussed money raising measures.

The tax reduction plan of Secretary Mellon was unanimously endorsed while the delegates urged caution against appeals for federal aid.

The conference voted down after a long verbal battle the proposed resolutions opposing tax-exempt securities and reducing the elementary school period from eight to seven years.

Resolutions were passed asking the states pass laws requiring serial bond issues to eliminate the old fashioned and non-working sinking fund.

Formation of taxpayers leagues all over the nation was advocated (Continued on Page Seven)

PREHISTORIC SKULL FOUND ON CALAPOOIA

Albany, Or., Aug. 27.—A find of considerable quantities of volcanic sand or ash, and fragments of a human skull, which when put together gave semblance of one of the lowest orders of man, has led J. G. Crawford, local geologist, to believe that he has found a possible buried civilization on the Calapoopia river, near Albany.

The sand is much finer than ordinary sand and is not water worn, having sharp knife-like edges. Being on the river bank, it is not possible that the deposit could have been washed there.

Whether the sand was deposited before or after the valley was an inland sea, as most valley geologists now agree was the case, it is not known and Crawford does not venture an opinion.

The volcanic ash extends from near the sources of the Calapoopia river to the mouth at Albany, and for a considerable distance away from the river on both sides, the ash is of great depth.

The skull found by Albany residents and turned over to Crawford, was located buried in several feet of the volcanic ash. Picked together the skull resembled that of the earliest inhabitant of the country placed at from 10,000 to 25,000 years ago.

Crawford has uncovered many relics dealing with the history of Oregon.

ALLEGED RUSTLERS ARE HELD TO GRAND JURY

Bend, Or., Aug. 27.—Pank Robinson and Ralph Whaley, charged with stealing a calf, were yesterday bound over to the Deschutes county grand jury by E. D. Gilson, justice of the peace. Bail was set at \$2500 apiece which had not been furnished this morning.

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TRIBUTE PAID TO DEAD ENVOY

Chicago, Aug. 27.—(A. P.)—Ambassador Tameo Matsudaira, Japanese representative at Washington, came here today to pay his nation's last tribute to the late Edgar A. Bancroft, who died in Tokyo, where he was the ambassador from the United States.

Ambassador Matsudaira became acquainted with Mr. Bancroft while serving as minister of foreign affairs.

"Everyone who knew the ambassador regarded him as a man of fine character," said Ambassador Matsudaira as he arrived from Washington.

"He endeared himself to all whom he came in contact. His death was a great blow to Japan as well as to America."

"You lost a worthy representative and we lost a good man."

"So I am here in respect to his memory and to pay a last tribute."

"For many years to come we will feel his loss. He arrived in Japan at a rather difficult time. Although he was there only a short time, the Japanese people will mourn his death for many years."

Controversy Over North End Highway Laid Before Board

Armed with a petition from 348 north end residents urging that the Fairfield market route as laid out by the county court in its five year program be retained as a part of the program, members of the county court with Roadmaster Calver left for Portland today to attend a meeting of the state highway commission and urge that the program as now outlined be left alone.

It is expected, on the other hand that a delegation from Woodburn will also be on hand urging its contention that a four mile strip past Aral's corner on the other highway be put on the market road program and the Fairfield road be eliminated.

ITALIAN FLYER REACHES MANILA

Manila, Aug. 27.—(A. P.)—Commander Francesco De Pinedo, Italian aviator flying from Italy to Japan, dropped down on Manila during a rain storm today after flying from Antimanan, where he had been held by storms since last Sunday.

The daring adventure of the aviator was prompted by the irritation caused by continued delay at Antimanan and his desire to reach Tokyo soon. He made his way in a storm that continued until he reached Manila.

Commander De Pinedo's stay at Manila depends upon weather conditions and the time required to make slight repairs on his plane.

The aviator must await favorable weather on his northward course where typhoons are frequent at this season. An extensive entertainment program has been prepared for the commander including a dinner with Governor General Wood, luncheon at the army and navy club and a reception by Filipino government officials.

Japanese Flood Subsides

Tokyo, Japan, Aug. 27.—Floods that caused 40,000 homes in Tokyo and 1000 in Yokohama to be partly submerged were subsiding today.

Two deaths resulted when landslides overturned a tram car and derailed a passenger train. Large areas of the Saitama prefecture were flooded. News of the damage in the outlying district is delayed by the suspension of communication. The floods were due to heavy rains and thunder storms.