

CIRCULATION
Daily average net paid circulation for
month ending August 31, 1925
6973
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Capital Journal

CLOUDY TONIGHT
And Tuesday; local rains in the mountains, moderate temperature, gentle west and northwesterly winds.
Local: Max., 75; min., 55; rain, none; river, -2.0; atmosphere, clear; wind, NW.

FORTY-SEVENTH YEAR No. 219

SALEM, OREGON, MONDAY, SEPTEMBER 14, 1925

PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

PROBERS TO HEAR MITCHELL

SAYS ARREST OF STANFIELD IS FRAME UP

Neuhausen Declares Boozie Charge At Baker Part of Political Plot To Discredit Senator.

Portland, Or., Sept. 14.—(A. P.)—Neuhausen, one of Senator Robert N. Stanfield's principal political advisers, made the following statement here today in regard to the arrest Sunday night at Baker, Or., of Senator Stanfield on a charge of being disorderly in a cafe in Baker:

"After reading the account of the arrest in the Sunday night editions of the newspapers I talked with Senator Stanfield over the long distance telephone and was assured by him that there was no justification whatever for the arrest. William Polman of Baker, who was in possession of the facts, likewise assured me that the attack on the senator was entirely without provocation.

Frame-up Alleged.

"In my opinion the occurrence at Baker is merely the forerunner of several attempts which will be made to entangle the senator in disorderly conduct charges. A private detective called at my office last Saturday afternoon and informed me that he had been informed to be a party to a 'frame-up' of that kind during the Pendleton Roundup. Senator Stanfield to be the victim. My informant had been asked to proceed to Pendleton on Saturday night's train and to assist in arranging the details of the plot in time to put it into execution during the Roundup. I have the name of the man who so flattered this detective's co-operation in the scheme and an investigation will be started at once to determine the identity of the other involved.

Warned Stanfield.

"At half past eight last Saturday evening I called up Senator Stanfield at Baker over the telephone and warned him to be on his guard against attempts to trap him. He informed me that the schedule of meetings of the senate committee on public lands, of which he is chairman, had been changed and that he could not attend the Roundup. The new schedule, he informed me, called for meetings at Boise, Idaho, today, at Burns, Or., tomorrow, and at Winnemucca, Nev., on Thursday. I again cautioned him to be watchful, as the efforts to involve him in a public fracas might be made in another city, in the event it became known that he intended to stay away from the Roundup.

A report from Baker this morning said Senator Stanfield left there last night in order to keep

Rodgers Asks To Stay With Flying Corps

Washington, Sept. 14.—(A. P.)—Commander John Rodgers of the PN-9 No. 1 appointed assistant chief of the bureau of aeronautics, advised Secretary Wilbur today that his personal preference is to remain on sea duty with airplanes. Commander Rodgers added, however, that he would accept the position if, in the opinion of the secretary, "my services will be more valuable in the department."

The message was sent by Rodgers by radio from Honolulu. It conveyed the thanks of the crew of the PN-9 No. 1 and his own appreciation for "the honor attached to my selection as assistant chief of the bureau."

FRANCE TO SEND CAILLAUX HERE TO SETTLE DEBT

Washington, Sept. 14.—(A. P.)—Information conveyed in Associated Press dispatches from Paris yesterday that Finance Minister Caillaux was coming to Washington with full authority to negotiate a funding settlement for the French debt to the United States was received by members of the American debt commission with considerable satisfaction.

A debt commission spokesman declared the announcement that M. Caillaux had received instructions only of a broad character from President Coolidge and that his action would be subject only to the ratification of parliament had considerably clarified the atmosphere.

The Paris reports gave no indication of the general ideas of a settlement which M. Caillaux was said to have laid before the ministry before receiving the former's instructions. They described, however, a memorandum which the finance minister will bring with him to the negotiations as representing the concrete result of the conversations with Jules Jusserand, former French ambassador to the United States, and in January with Charles E. Hughes, then secretary of state and Secretary Mellon.

The gist of the memorandum was reported to be that should France propose to amortize its debt to the United States by paying half of one per cent of the principal annually for 62 years, the American debt commission would consider in the most liberal spirit the question of interest.

While treasury officials here were unwilling to discuss the Jusserand memorandum, Under Secretary Vinton, the debt commission secretary, said the one-half of one per cent amortization rate mentioned must have referred to the initial payment made by several of the foreign powers under the 62 year settlement plan. He called attention to the fact that the annual payments grew gradually larger, so that the amortization rate was very much greater in the latter part of the funding period.

Since, if France should pay only one half of one per cent a year on the debt, it would require 200 years or more to retire the obligation, the belief prevailed here that M. Caillaux had been misunderstood in regard to the memorandum.

MITCHELL IS CRITICIZED BY AIR CHIEF

Admiral Moffett Declares Critics of Service Are "Unscrupulous Self Seekers" and "Vultures"

Washington, Sept. 14.—(A. P.)—With the broad question of the nation's air defense organization to be turned over to a special board of inquiry, the specific charges made by Colonel William Mitchell, former assistant army air chief, against the navy's air administration have drawn a verbal broadside from Rear Admiral William A. Moffett, the navy air chief.

Replying categorically to the charges of Colonel Mitchell respecting the Shenandoah and the flight of the PN-9 No. 1, which he quoted without mentioning the author's name and of other critics of the navy air administration, Rear Admiral Moffett denied them with such emphatic characterization as "unqualifiedly false," "absolutely false," and "unscrupulous self-seekers" and "vultures."

Charges "Delusions"

"The most charitable way to regard these charges is that their author is of unsound mind and is suffering from delusions of grandeur," Admiral Moffett declared.

The navy air chief's statement, following in the heels of the action by President Coolidge in turning over to a special commission the broad question of air defense policy, is taken to indicate that the admiral regards Colonel Mitchell's specific charges against the navy air administration as still to be dealt with.

That these charges, as well as those against the army air administration will be considered as further matters to be dealt with by the commission, which will meet with the president at the White House next Thursday is regarded by most officers as unlikely. What course the administration does propose to take with regard to them may not be definitely disclosed, however, before that time.

Communique Methods

Assessing proponents of a unified air service were likewise "the revolutionary methods of the communists," Admiral Moffett declared.

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POLICE RAID WILD PARTY OF JUVENILES

Three Boys and Two Girls of High School Age Arrested At 3 o'Clock Sunday Morning.

Two girls and three boys, their ages ranging from 16 to 20, stood before Police Judge Poulson during the day today to answer to charges of disorderly conduct.

On the police blotter they were booked on charges ranging from disorderly conduct to "drunk and maintaining a disorderly house," and driving an automobile while intoxicated.

The cases are but a single instance of what the police of Salem are trying, against the handicap of paternal indifference, to stamp out in the city. These boys and girls are but a few of the many constantly under police surveillance.

It is the old story of too much liberty and license.

Started at Dance

Saturday night the five, along with others less favored with such liberal parents attended a downtown dance. They danced until midnight. The dance over, they tried vainly to get others to join them on a "party."

At 3 o'clock Sunday morning the five were arrested in the home of one of the boys commandeered in the absence of his parents for the spree.

The girls, one of them in particular, were drunk, manfully drunk, according to the police. The boys were little better when they were hauled to the police station. One boy had stolen his father's car and was attempting to drive it.

All that went on in the house has not yet been given out, but the situation was serious enough to inspire one of the girls to plead with police and newspapermen to day to keep it a secret from her parents.

In Trouble Before

"If they find it out they will drive me out of the house," she said.

Both of the girls have been involved in affairs brought to the attention of the police previously, and both have been warned to mend their ways. The boys, one in particular, are not strangers to the police either.

At the request of the police the names of the five are being withheld.

BETS PLACED THAT HYLAN CANNOT WIN

Bitter New York Campaign Nears Close With Wall Street Odds Against Hearst Man.

New York, Sept. 14.—One of the most sensational campaigns in the history of New York City will close tomorrow in the nomination of democratic, republican and social ist candidates for mayor.

The fireworks have been largely on the democratic side. John F. Hyland, elected mayor for two four year terms with Tammany support, is opposed for re-nomination by State Senator James Walker, Tammany designee who has had the aid of Governor Smith.

Fought By Smith

By both republican and democratic spokesmen, the campaign has been interpreted as a battle between Governor Smith and W. R. Hearst for control of the democratic party in the state with a view to presidential politics in 1928, the governor giving up a vacation to stump for Walker. Exchanges between the governor and Mr. Hearst at long distance and between the governor and the mayor at close range, have been sharp and personal.

The mayor has ignored demands of Walker that he say whether he will support the democratic nomination, and Tammany supporters, confident of success in the primary, are looking forward to the election with less assurance because of what seems to them the possibility of Hyland heading an independent ticket.

Republicans Hopeful

Republican hopes of electing the executive of this heavily democratic city run high.

The campaign marks the first big fight within the democratic ranks since the death of Charles F. Murphy, head of Tammany Hall.

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Hints At Sanity Of Colonel Mitchell



REAR ADMIRAL W. A. MOFFETT

FILIPINOS HERE IN BEHALF OF INDEPENDENCE

Victoria, B. C., Sept. 14.—(A. P.)—The third Philippine independence commission en route to Washington arrived here today on the liner President McKinley of the American-Oriental mail line.

"I wish to express once more the faith of the Philippine people in the spirit of justice and fair mindedness of the great republic we are approaching," said Sergio Osmena, president pro tempore of the senate of the Philippine Islands and 15 years speaker of the lower house, head of the commission.

"It is for this reason we are not greatly concerned about the systematic and continuous propaganda against the Philippines and their aspirations.

"A misleading presentation of the facts may cause a temporary impression," declared the head of the commission. "It cannot achieve permanent results—much less lead the American people to break the policy of annexation that has been so clearly and so definitely laid down by our representatives in congress.

"What is needed is a final settlement for the best interest of both peoples."

The delegations goes direct to Washington on arrival of the McKinley at Seattle today.

\$4,077,478 FOR RAILROAD GRANT LANDS

Judge Wolverton Allows Southern Pacific Half of Claim for Forfeiture of Property.

Portland, Or., Sept. 14.—(A. P.)—United States District Judge Wolverton today allowed the Southern Pacific railroad \$4,077,478.35 in the final accounting of the old Oregon & California railroad land grant cases.

The Southern Pacific had asked for some \$8,000,000 while the government conceded \$1,200,000. Decision as to whether an appeal shall be taken rests with the company's legal department in San Francisco.

The accounting suit involved 100 separate lawsuits that were rolled into the one brought under the provisions of the Chamberlain-Ferris act, passed by congress in 1916.

Worth \$30,000,000.

It is stated by Southern Pacific attorneys that the lands recovered by the government from the old Oregon & California land grants are now worth at least \$30,000,000, chiefly from the timber on them. The district known as the O. & C. grant is composed of two grants from the government to aid in the building of the Oregon & California railroad; the East Side grant made in 1866 and the West Side grant made in 1870.

The lands were given to the railroad company with two covenants—that they should be sold only to actual settlers and that they could be sold only in tracts of 160 acres each. The government charged that when the Southern Pacific secured the lands it went on the theory that it owned them outright, and proceeded to sell as it saw fit without regard to the covenants. For years it sold these lands and the government took no action until some ten years ago. In time the railroad company took these lands off the market. The government brought suit to compel the company to forfeit the lands back to the federal government upon the grounds that the railroad company had broken the covenants in the original grant.

Entitled to \$2.50 an acre.

In 1915 the United States supreme court held that the lands could not be forfeited without the railroad company receiving \$2.50 an acre for all the lands that were in the original grants, including those it had sold. The court suggested that congress amend the original act so as to have the government take back the lands and at the same time give the railroad company \$2.50 an acre to which it was entitled.

Acting upon this suggestion, the Chamberlain-Ferris act was passed which provided that the government would take back all the lands left, but pay the railroad \$2.50 an acre for all the lands that were in the grant but charge against this grant sum all the money had received in connection with the sale of tracts to settlers and others.

Congress also provided in this bill that a suit should be brought in federal courts to determine the amount to be paid. There were no many various items entering into the settlement, that the accounting suit was held necessary independent of all other suits connected with the grant.

Nearly all the questions of fact were agreed upon by the attorneys before the accounting suit was started here in June, 1923.

Today's decision not only settled the amount to be paid the railroad but also determined the legal conclusions on many mooted points in connection with money paid out and received.

Judge Wolverton found that there should be 5,737,889.94 acres in the O. & C. land grant, for which \$9,319,724.85 gross should be allowed. But he charged the company with \$5,242,246.50, which made the cash award to the Southern Pacific company of \$4,077,478.35.

The government some time ago set aside \$1,000,000 cash to be paid on this suit when decided. Provision of the rest of the amount will be up to the next congress.

CRITIC OF AIR SERVICE TO GO BEFORE BOARD

War Department Prepares For Mitchell's Appearance Before President's Special Commission.

Washington, Sept. 14.—(A. P.)—A court of inquiry to investigate the Shenandoah disaster with Rear Admiral Hilary P. Jones, chief of the navy's general board as its president, was appointed today by Secretary Wilbur.

At the time Mr. Wilbur was announcing the personnel of the Shenandoah board, the war department made plans to have Colonel William Mitchell, chief figure in the whole controversy, available as an expert witness for the president's special board, when that body begins its inquiry.

To Aid Investigators

The work of this board will supplement that of the special board of nine men appointed by President Coolidge to devise thoroughly into the broad question of the nation's air policy, which has been the subject of bitter controversy since the Shenandoah disaster.

The announcement of the personnel of the board to investigate the Shenandoah crash came on the heels of a denunciation of navy criticism Rear Admiral Moffett, chief of the navy bureau of aeronautics.

Those who will serve with Admiral Jones in conducting the inquiry are Captain Frank H. Clark, aide to the assistant secretary; Captain Lewis B. McBride of the navy construction corps; Commander John H. Towers, Lieutenant Commander Ralph C. Penoyer, Captain Paul Foley, director of the experimental laboratory at Bellevue, D. C. and Lieutenant Commander R. McPierce.

Mitchell's Presence Sure

Captain Foley will be judge advocate of the court and Lieutenant Commander Pierce will be his adviser.

It was explained that the war department that neither disciplinary

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TWO INJURED IN AUTO ACCIDENT, ONE SERIOUSLY

Independence, Or., Sept. 14.—Walter Lawrence and Warren O. Shields were injured, the former seriously, when the automobile in which they were riding between Albany and Independence left the road, turned turtle and plumed their heads about 8 miles south of here on the Buena Vista road yesterday afternoon. Both residents of Lebanon, and were taken there following the accident.

The spill occurred when the men turned their car too far out of the road in passing another car, they told Dr. G. C. Knott, who was called to attend them. Loose gravel in the road was also held to be a contributing cause.

Lawrence, with several ribs on his left side fractured and blood running from his mouth, was the most seriously injured. Dr. Knott said, although he could not determine at the time whether Lawrence was injured internally. Shields suffered a broken collar bone and cuts on his hands.

Both men were pinned under the overturned car for several minutes before they could be released by passing motorists. They were both taken to Lebanon, Lawrence being placed in the hospital there.

Vancouver Linen Mill Seeking New Location Makes Eugene Offer

The Washington-Oregon Linen Mills company of Vancouver, Wash., which so far has failed to live up to contracts to take 400 acres of flax in Oregon and which made an unsuccessful attempt to sell stock here, appears to have given up its linen mill project at Vancouver and is now flirting with the Eugene chamber of commerce with a view to establishing a mill there. William E. Douglas, president, and F. J. Galbraith, general manager of the company, are negotiating with officials of the Eugene chamber.

Douglas and Galbraith claim that the contract offered by the city of Vancouver fails to meet the requirements of the company and that a new location is necessary. The company has 20 carloads of

WAY MUST SERVE 15 YEARS IN PEN

Klamath Falls, Or., Sept. 14.—Frank Way, convicted of manslaughter here last week in connection with the slaying of Timothy Murphy, was sentenced to 15 years in the penitentiary and fined \$1000 this morning by Circuit Judge Leavitt.

Way and Murphy, both prominent central Oregon sheepmen, engaged in a fist fight last May over the possession of a black sheep, the fight resulting in Murphy's death from a skull fracture.

ANOTHER HUMAN DEER KILLED WHILE HUNTING

McMinnville, Or., Sept. 14.—Ollie Neff, 45, of Corvallis, was accidentally killed near Happy Camp, Sunday noon, by a friend, William Hudson, as the two were deer hunting. The men were walking through the brush together. Hudson related, when Hudson's gun discharged, the bullet entering Neff's head and killing him instantly. The coroner was to hold an inquest late today. Neff leaves a widow and two children.

CAR STOLEN HERE IS FOUND

A Star automobile belonging to W. A. Brock of Seio, which was stolen from the streets of Salem August 30, and two unidentified boys in whose possession it was located, are being held for the Salem police in Brighton, Col. The police were advised by Sheriff L. H. Miller of Brighton, this morning.

The police here are awaiting further details before sending after the boys and the car.

BURGLARS ROB FEED STORE AT JEFFERSON

Burglars entering the feed store of W. H. Kothoff at Jefferson sometime Saturday night or early Sunday morning made away with a variety of articles, according to a report made to the sheriff's office.

Among the things stolen were two sacks of wheat, 10 or 15 pounds of twine, 125 pounds of timothy seed, 130 pounds of white clover seed, and a variety of other articles.

Entrance to the building was gained by forcing the back door and the loot was carried away in a truck backed close to the door.

Pioneers To See Film Of "The Iron Horse" At Heilig on Tuesday

Grey hairs and furrowed brows will have their innings tomorrow when the Capital Journal, in cooperation with the Heilig theater management and the Fred M. Powell Motor company, will be host to northwest pioneers at a showing of "The Iron Horse" at the Heilig theater tomorrow afternoon beginning at two o'clock. All the men and women who were in the northwest in 1871, the year when the railroad, whose special construction forms the plot of "The Iron Horse," was finally completed and Atlantic and Pacific were first linked by two ribbons of steel, will be guests at Tuesday's matinee.

Posters, telephone and personal calls at the Journal office, have brought requests for reservations for tomorrow's show and scraps and bits of interesting reminiscence have accompanied many of the reservations. Mrs. Alice Bowen, 854 University street, is more than eager to see the pictureization of the first railroad construction in the west with all the color and drama that accompanied it for she remembers well the first railroad train in this part of Oregon.

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VINTON TO RUN FOR GOVERNOR

McMinnville may have an entry in the contest for the republican gubernatorial nominations, says the McMinnville Telephone-Register.

W. T. Vinton has announced that he is considering "slightly" entering the lists. Friends are said to have urged him to enter but as yet he has not reached a decision.

A number of candidates are being groomed for the race but definite entries are scarce as yet.

Mr. Vinton with his associate, Mr. Toole, were both in Tillamook this week but Mr. Vinton confirmed hearsay as to Mr. Vinton's candidacy but said he had made no decision.

Followers of Mr. Vinton point to his long residence in the state and his presidency of the Oregon senate as fitting preparation for the most important office in the state.

M'NAMARA ONCE MORE ON TRIAL AS DISTURBER

Indianapolis, Ind., Sept. 14.—(A. P.)—John J. McNamara, a leading figure in the bombing 14 years ago of the Los Angeles Times building, faces trial again today for labor disturbances.

He will go before Special Judge F. C. Gause in Marion county to answer an indictment charging him with threatening an employee engaged in the construction of the Indianapolis Elks' home in 1924. This indictment is one of four which grew out of the defendant's last year of stone work of the Elks building and the national headquarters of the American Legion. The state charges that McNamara, as business agent of the local bridge, structural and ornamental iron workers' union, incited the vandalism after a futile effort to obtain employment for union men of his organization on buildings under construction by non-union workers.

McNamara was general secretary of the structural steel workers union in 1911 when the Los Angeles Times building and the Llewellyn iron works in Los Angeles were dynamited. Twenty-two were killed in the explosion which wrecked the Times building. He and his brother, James B. McNamara, were the principal figures in the plot for participation in the bombing and James was sentenced to prison for life, while John was given a 15-year term. Clarence Darrow, Chicago attorney, was counsel for the McNamaras.

John J. McNamara was released from prison after serving nine years and five months and came to Indianapolis as business agent for the local union. Last week a fifth indictment was brought against him here, charging blackmail in connection with the construction of an addition to the Fletcher Savings & Trust company building.

Yesterday's Scores.
Portland 3-7; Los Angeles 8-2.
Vernon 9-3; Salt Lake 2-4.
Oakland 1-0; Sacramento 4-2.
Seattle 5-0; San Francisco 7-6.