

CIRCULATION
Daily average net circulation for
month ending August 31, 1925
6973
Average daily distribution 7333.
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Capital Journal

UNSETTLED
With probably showers tonight and Wed-
nesday, moderate temperature; moder-
ate southerly winds.
Local: Max., 75; min., 50; rain, none;
river, -2.0; ainos, cloudy; wind, SW.

FORTY-SEVENTH YEAR No. 220

SALEM, OREGON, TUESDAY, SEPTEMBER 15, 1925

PRICE THREE CENTS ON TRAINS AND NEWS
STANDS FIVE CENTS

FLEEING MOTORIST IS KILLED

REJECTION OF LOW BIDS HELD LEGAL

**Supreme Court Quashes
Attempt of Warrens To
Block Rebuilding of
Astoria Road.**

The state highway commission may proceed with the reconstruction of 9.2 miles of the Columbia river highway, under a contract with Simonson & Hefly, between Astoria and Seaside, according to a supreme court opinion today in the injunction proceeding of Frederick N. DeNeffe, appellant, against the commission.

The opinion was written by Justice Conover and affirms Judge Robert G. Morrow of the lower court for Multnomah county.

The DeNeffe case against the highway commission is said to set an important precedent for two angles, first, that the highway commission has a right to award a contract on other than the low bid if a different type of pavement is desired, and second, that it may resurface a stretch of road prior to the completion of all improvements coming under the original \$6,000,000 highway bond issue.

Warrens Brine Suit
DeNeffe is said to have represented in the case the Warren Construction company, and contended the two above mentioned points which are allowed by the opinion.

DeNeffe asserted that the Astoria-Seaside pavement was still 95 per cent useable, but the commission contended that it was breaking down and that, aside from that question, it was policy to straighten out the alignment of the road. It was one of the first pieces of highway improvement in the state and very crooked, with the result that many accidents were taking place on the road. One fact that militated against the blacktop pavement, which is to be replaced, was that the district is subject nearly the year round to hard weather.

It was the desire of the commission to substitute concrete for the blacktop, and on that ground awarded a contract to Simonson & Hefly, notwithstanding it was over \$9,000 higher than the low bid on blacktop and \$3,000 lower than another bid.

Alternate Bids Unheld
DeNeffe averred that the commission's call for alternate bids was unlawful, and that the commission should have specified in advance the kind of pavement selected and that it had no authority to award a contract without specifying in advance the kind of pavement to be laid. The opinion holds that the greater weight of authority is to the contrary.

Other opinions handed down today were:
A. C. Emerson, appellant, vs. N.
(Continued on Page Seven.)

Armless Man Signs Name 1300 Times; Holds Pen In Teeth

Little Rock, Ark., Sept. 15.—Sam Sloan, state treasurer, who is handless and armless, has started a task that would amount to signing his name 1300 times by holding a pen in his teeth.

The signatures are being placed on \$650,000 worth of state bonds issued for the purpose of erecting buildings at the University of Arkansas.

COOLIDGE TO BACK UP WORK

**President Takes Position
That Congress, Not Sec-
retary To Blame For
Reclamation Tangle.**

Washington, Sept. 15.—(A. P.)—Congress and not the interior department is to blame, in the opinion of President Coolidge, because relief has not been afforded settlers on some reclamation projects in the west.

Secretary Work, whose administration has been attacked in some quarters for being too slow to act, is merely carrying out the law as he sees it.

Thus far, it was said today at the White House, no protest aimed at the interior secretary has been received by the president. The latter holds that if congress, at its last session, had passed a bill favoring the administration for relief of settlers there would now be no ground for complaint.

The government's reclamation project is clearly defined by law in President Coolidge's view, and while there is no desire on the part of the administration to change this policy as a general proposition, it has been the government's contention that relief should be afforded to some localities.

The administration's plan is to work in the west to go on as usual.
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HOOPER TO ASK REGULATION OF BROADCASTING

Washington, Sept. 15.—(AP)—Secretary Hoover, with some reluctance intends to ask the National Radio commission which will be assembled within the next six or eight weeks to lay down a program for regulating and restricting broadcasting.

BANK ROBBER SUSPECT HAS ALIBI, CLAIM

**"Whitey" Watson Says He
Was With Woman In
Portland When Aurora
Hold-up Was Made.**

"Madge," mystery woman of Portland, will be the central figure in an alibi which Clyde "Whitey" Watson will use when he comes to trial for participating in the robbery of the bank at Aurora on October 29, 1924. Watson expects to have her here in person at the trial to testify that he was in her company in Portland during a period which would make it impossible for him to have been one of the participants in the looting of the bank.

And, in the meantime, Grace Patch of Aurora has reiterated to Deputy Sheriff Sam Burkhardt that she is as positive as ever that the man under arrest is one of the three men who stepped from an automobile in Aurora and entered the bank to rob it.

Watson is keeping a hedge of mystery about the woman he calls "Madge," declaring he knows where she can be located and that her attorney will locate her for him, but he does not wish her to be approached by anyone interested in the prosecution, and for that reason he refuses to give her last name or her address.

According to Watson's story to the officers, he was working at the logging camp at Ephraim where he was arrested, being employed there up to October 26 of last year. Vernon Hoy, who has filed an affidavit in the case against Watson, was one of his chums at the camp and the two had had some disputes.

Watson decided he wanted to come "outside" for a while and on October 26, he says he went into Astoria. From there he went to Portland, taking an apartment.

He tells how on October 27 he purchased some clothing. On October 28, he stated, he went to another apartment where he called on a woman and found the mysterious "Madge" he was looking for. That evening he was out with her. The next morning, the day of October 29 and the day of the robbery at Aurora as well, he states he slept in his apartment until 12 or 1 o'clock in the afternoon. He then arose, met "Madge," and spent most of his time with her. The robbery occurred shortly after noon.

Watson explained his late rising by saying that whenever he went into Portland he enjoyed himself at dances and late parties, and slept as long as he pleased in the daytime.

He asserts that this "Madge" can give him the information which will clear him.

From the start Watson has positively declared his innocence of the Aurora robbery to local officers.

Memory Inspired
When Deputy Sheriff Burkhardt asked him how he happened to be
(Continued on Page Seven.)

FATE OF TWO LEADERS AT STAKE TODAY

**Tammany In New York
And La Follette Control
In Wisconsin Face Tests
In Primaries.**

Milwaukee, Wis., Sept. 15.—(A. P.)—A young man, untitled in high political office but carrying the banner of his father, Fighting Bob LaFollette, today faced a battle in the special senatorial primary election which will test the power of the late chieftain's hold on the state's electorate.

The entire campaign, which has carried the candidate from one end of the state to the other, has been devoid of political questions and the entire fight has been confined to the preserving of the regime started by Senator Robert M. LaFollette, on one side of the republican party, while on the other side the fight has been to strip the stronghold of LaFollette progressivism.

LaFollette Attacked
Headed by Robert M. LaFollette Jr., the left wing of the ranking party in this state is making its stand against the combined attack of the remainder of the party, led by Roy P. Wilcox, the Coolidge republican candidate, and Francis S. McGovern, the "middle ground" candidate. Both have attacked the control of Wisconsin politics, which is exercised by the faction now in power in Wisconsin. In turn, the LaFollette faction has fought both Wilcox and McGovern.

(Continued on Page Four.)

FREE HAND GIVEN COMMISSION IN AIRCRAFT PROBE

Washington, Sept. 15.—(A. P.)—President Coolidge will give his aircraft investigating board a free hand as to the witnesses to be summoned and the course of procedure to be followed.

Acceptance have not yet been received from all of the nine men asked to serve, but the executive is confident that all of them will accept.

Mr. Coolidge feels that the board must decide for itself whether its hearings are to be open to the public, but sees no argument against open sessions unless perhaps at some time in the investigation the board should consider confidential plans for the national defense.

The policy to be pursued in this course, he thinks, can be best decided after the board has convened and organized.

Kid McCoy Granted New Trial



Los Angeles, Cal., Sept. 15.—(A. P.)—The first district court of appeals today granted the appeal of Norman Selby, former prize fighter known as Kid McCoy, for a new trial on the count of manslaughter, for which he is serving a term in San Quentin prison. The continuation was recorded in connection with the killing of Mrs. Theresa Mors here in August, 1924.

BIDS OPENED ON AIR MAIL

**Los Angeles To Seattle
Contract One of Eight
To Be Let By Postoffice
Department Today.**

Washington, Sept. 15.—The era of commercial aviation in the United States takes an advanced stride today.

The annual service of the post-office department, pioneer in demonstrating the feasibility of the airplane as a means of transport in continuance day and night flying, winter and summer, will open bids for the contracts for carrying mail on eight new air routes.

Through the stimulus of these contracts commercial aeronautics are expected by air pioneers of the postoffice to move onward to take its place eventually as one of the principal methods of communication and transport in time of peace and to become the nucleus of an effective air force for use in event of war.

DIVORCE DECREE APPEAL IS LOST

In a 160 word opinion the supreme court today affirmed Judge Perry R. Kelly of the lower court for Marion county in the divorce case of Louise Claggett vs. Clyde C. Claggett, appellant. The opinion was written by the full court.

"This is a suit for divorce," says the opinion. "There is no legal question involved upon this appeal. The cause was tried in open court and plaintiff had the testimony and had an opportunity to observe the demeanor of the witnesses and their manner of testifying. We have read the evidence offered by both parties with great care and are satisfied that the conclusion reached by the lower court was correct."

250 Pioneers Are Guests at Journal Show

They came singly, in couples, and by threes and fours. They rode in mostly but a few of them scorned the offer of a ride. They came with lifted heads and eyes sparkling and an eagerness rivaling that of their youngest grandchildren on circus day. Long before two o'clock the foyer of the Helld theater was crowded with the men and women that have made Salem history for fifty years and more.

At the invitation of the Capital Journal they were guests at the Helld theater at a showing of "The Iron Horse," a picture which records many of the struggles which have been duplicated by individual members of the audience.

Nearly two hundred reservations were made directly at the Journal office and Archie Holt, Helld manager, reserved a section of 250 seats for the pioneers and their escorts. Many who would otherwise have been unable to come were taken to the theater in cars furnished by the Fred M. Powell Motor company.

Mrs. Martha Lyrd, who will be ninety on her next birthday, was there. Judge P. H. D'Arcy who hasn't missed a chance to hobnob with pioneers since the term was originated, came early to see the fun and to chat a bit with a few of the old timers. They came from the big homes on Court street and the little homes near the freight tracks. It was one of the largest gatherings of Salem pioneers that has been seen here in a long, long time.

ROUMANIA APPROVES AMERICAN DEBT POLICY

Geneva, Sept. 15.—M. Titulesco, Roumanian minister to Great Britain, who probably will head the Roumanian debt mission to the United States, said today that his country approved the American policy regarding war debts.

"We mean to pay our debts to America, honestly," he said, "and are asking that our capacity for payments shall be taken into consideration."

6 PRISONERS ESCAPE JAIL

**Men Armed With Guns
And Knife Overpower
Guards In Seattle Prison
And Walk Out.**

Seattle, Wash., Sept. 6.—(A. P.)—Six prisoners, including one convicted slayer and three accused in bank robberies, escaped from the King county jail here today, using two pistols and a knife fastened on a pole. They fled in a jail physician's automobile.

Those who escaped were Alvin Killebrew, held for robbery of the State Bank of Bothell, 15 miles north of here June 5, when two companions of his, James Hollock and George Jones—all three living at Everett, Wash.—were slain by citizens and Killebrew was wounded; J. H. Johnson and James Burns, held pending extradition in a \$42,000 robbery December 12 of a branch of the Royal Bank of Canada in Nanaimo, B. C.; Lloyd Richardson, convicted of slaying a woman, and Charles Fairchild of manslaughter for fatally shooting Pauline R. Litzky of this city when he entered a house on his last September 23; Ed Watson and Joe Ward.

The pistols were used by Watson and Ward. Watson was under sentence of 90 days in jail. While serving this sentence, he was shot in attempting to escape from a stockade near the city. He was then brought into the jail. Ward was under sentence of 25 to 30 years in the state penitentiary for a previous attempt to hold up the Bothell bank.

The physician and a jailer entered a part of the jail called tank No. 2 to give medical attention to a prisoner. Confronted by the pistols and the knife, the doctor and the keeper went into a cell, in which the six prisoners fastened them.

The prisoners then hurried into an office adjoining the tank. Here they encountered another guard, whom they overpowered with their weapons, hurrying on their way into a corridor, where they passed another guard and went out the rear entrance of the prison.

Investigation was begun as to how this door was opened.

TRAFFIC COP SHOOTS WHEN DRIVER RUNS

**Officer Talent Kills Man
Near Jefferson When
Commands To Halt Are
Ignored.**

Albany, Or., Sept. 15.—Ed Louderman was fatally shot shortly before noon today by Traffic Officer C. P. Talent as the former in company with a woman, was fleeing from the officer in an automobile about two miles from Jefferson, near the Marion-Linn county line. He died shortly after being taken to Jefferson for medical attention.

The woman gave her name as Genia Owens, formerly of Troy, Mont., but said her parents, Mr. and Mrs. G. T. Owens, resided in CleElum, Wash., to which place they moved two weeks ago.

Killing Not Intentional
Officer Talent told District Attorney L. G. Lewelling of Linn county that he did not intend to kill the man, but was trying to send a bullet through the windshield of his car when the man had ignored several shots fired in the air in an effort to halt the car.

Talent was driving south from Salem in company with District Attorney C. Chancy of Jackson county, when they passed the car carrying the man and woman.

The traffic officer said he noticed that the suspected car carried no license tag on the rear, but carried a Washington state dealers license on the front. He called Chancy's attention to this, and they decided to turn back and question the driver.

Louderman, Talent said, also turned and rapidly drove into a side road about one and one half miles south of Jefferson.

Suspect Auto Stolen
The officers gave chase. Talent firing in the air. Finally one shot was aimed at the fleeing car's windshield. It struck the feeling man under the left arm, ranged toward the chest and passed near the heart.

Talent explained that he saw
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REFORESTATION PLEA IS VOICED

Spokane, Wash., Sept. 15.—(AP)—A plea for forest conservation and reforestation was voiced before today's session of the annual convention of the Concoated Order of Hoo Hoo by Alton J. Hager of Lansing, Mich., supreme senior Hoo Hoo of the organization.

Referring to the vast waste of forest products in the early years of the nation's history, which he said was inevitable, Mr. Hager declared that with the cut reduced to 125,000,000 acres, 75 per cent of it in the Pacific northwest, conservation of timber is one of the most important problems confronting the nation, with numerous industries and provision of material for the nation's homes dependent upon it.

"We must also provide employment for practically two million men who have been making their livelihood in cutting the trees, working in the mills and furniture factories, to say nothing of the many thousands engaged in the more modern business of building automobiles, airplanes and radio equipment and whose future success and continuance is absolutely dependent upon a timber supply," he continued. "Michigan alone is using 300,000,000 feet per year in the automobile industry."

Loss by forest fires, the result, for the most part, of human carelessness, Mr. Hager declared, apparently is on the increase. The parent is on the increase. The loss for the first six months of 1925, amounting to \$197,547,350, was \$16,451,000 greater than the same period last year, or 165 per cent, he pointed out. He urged every American lumberman to lend his aid toward a more general observance next year of national forest conservation week.