PIRATES TIE SERIES WITH SENATORS, 3-3

CIRCULATION
Daily average net paid circulation for month ending September 30, 1925
7077
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Capital Journal

FAIR WEATHER
Tonight and Wednesday. Warmer in east portion Wednesday. Light to heavy frosts tonight, light northerly winds.

Local: Max., 67; min., 34; rain, none; river, -2.3; atmos., clear; wind, north.

FORTY-SEVENTH YEAR No. 244 SALEM, OREGON, TUESDAY, OCTOBER 13, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

SAY MURRAY FULL OF DOPE

PITTSBURGH WINS SIXTH GAME 3 TO 2

Washington Unable To Hit Kremer When Hits Needed—Fast Contest Staged.

Forbes Field, Pittsburgh, Pa., Oct. 13.—(A. P.)—Eddie Moore's home run and Ray Kremer's brilliant pitching gave the Pirates their second straight victory over Senators today 3 to 2, tieing the world's series at three games each.

Washington.	A.B.	R.	H.	P.O.	A.	E.
Rice cf	4	0	0	2	0	0
S. Harris 2b	3	0	0	3	0	0
Ballou p	0	0	0	0	0	0
Goslin lf	3	1	1	2	0	0
J. Harris rf	4	0	1	2	0	0
Judge 1b	4	0	1	9	0	0
Bluege 3b	4	1	1	0	6	0
Peckinpaugh ss	3	0	1	4	3	1
S. Adams 2b	0	0	0	0	0	0
Severeid c	3	0	1	6	0	1
Ruel c	0	0	0	0	0	0
Ferguson p	2	0	0	0	1	0
McNeely*	0	0	0	0	0	0
Leibold**	1	0	0	0	0	0
Veach***	1	0	0	0	0	0
Totals	32	2	6	24	10	2

Pittsburgh.	A.B.	R.	H.	P.O.	A.	E.
Moore 2b	3	2	2	2	4	0
Carey cf	2	1	0	0	0	0
Cuyler rf	3	0	0	2	0	0
Barnhart lf	3	0	1	2	0	0
Traynor 3b	4	0	2	1	4	1
Wright ss	3	0	0	3	2	0
McInnis 1b	4	0	1	12	1	0
Smith c	4	0	1	3	1	0
Kremer p	3	0	0	2	3	1
Totals	29	3	7	27	15	1

*Ran for Severeid in 8th.
**Batted for Ferguson in 8th.
***Batted for S. Harris in 8th.

Score by innings:
Washington ....1 1 0 0 0 0 0 0 0—2
Pittsburgh ....0 0 2 0 1 0 0 0 x—3

Summary—Two base hits, Peckinpaugh, Barnhart, J. Harris; home runs, Goslin, Moore; stolen bases, Traynor, McNeely; sacrifices, Carey 2, Cuyler; double plays, Judge unassisted; left on bases, Washington 4, Pittsburgh 8; bases on balls, off Kremer 1 (Goslin), off Ferguson 2 (Moore, Barnhart), off Ballou 1 (Wright); struck out, by Kremer 3 (J. Harris, Judge, Ferguson), by Ferguson 6 (McInnis, Kremer 3, Smith, Wright); hits, off Kremer 6 in 9 innings, off Ferguson 7 in 7 innings, off Ballou, none in one inning; winning pitcher, Kremer; losing pitcher, Ferguson.

Umpires—Owens (A), plate; McCormick (N), first; Moriarity (A), second; Rigler (N), third.

Time of game—1:57.

First Inning

Washington—Moore juggled Rice's hot smash but threw him out at first. Smith took Stan Harris' roller in front of the plate and got him at first. Goslin got a home run into the right field

(Continued on Page Seven)

WOMAN VICTIM OF AUTO-DA-FE

Winnsboro, La., Oct. 13.—(A. P.)—The fastness of the Texas swamp today held the secret of what may have been a modern auto-da-fe with a young white woman as the victim, while armed men combed its recesses for a clue to explain the finding of the charred body on a pine log pyre.

Identification of the body, found Saturday night by a negro who feared to notify the parish authorities lest he be implicated, was practically impossible. It had been divested of clothing and was so badly burned that the coroner could not say whether it had been cremated before or after the woman's death.

Unmarked feminine apparel of good quality, found in a suit case near the pyre, and a white gold ring on the finger of the corpse were the threads by which identification was hoped to be made. A bucket which apparently had contained gasoline indicated that every effort had been made to make cremation complete.

100,000 Give Advice To Millionaire On How To Spend Coin

AGED RICH MAN ASKS CESSATION OF LETTER FLOOD

New York, Oct. 13—(AP)—Associates of Leopold Schepp pleaded today for a cessation of contributed ideas on how the 84 year old philanthropist could distribute his millions.

Last July Mr. Schepp appealed through the Associated Press for some "concrete and workable ideas" on how he might best distribute his surplus wealth. Whether the ideas he received were either concrete or workable is open to discussion, but in bulk at any rate they were a hundred times greater than was expected by the aged philanthropist who had no idea what forces he was unleashing.

Since the appeal for ideas was made it was announced today 100,000 communications originating in virtually every part of the world have been received.

Response to Schepp's appeal was instantaneous and still continues. A large clerical force has been engaged in assorting, cataloguing and

(Continued on Page Five)

TRAMP MINER WINS MILLIONS

San Francisco, Oct. 13—A tramp miner yesterday; today a potential multi-millionaire.

This was the prospect faced by George Carson, 59, who received the news yesterday that an action of the United States supreme court, upholding a decision of the United States circuit court of appeals in Carson's favor, made the American Smelting company and other concerns liable for infringements on a smelting process patented by Carson. The concerns must now render an accounting for all profit made from his invention.

The suit revolves around a patent for side feeding of reverbatory furnaces, developed many years ago while Carson was in Denver. His claim was thrown out of a United States district court in Seattle. He appealed, Rudolph Spreckels, San Francisco capitalist, became interested in the case and retained George W. Wickersham, Elihu Root, Frank W. Hitchcock to represent Carson and the case was won. Carson received the news in bed in a ward at the University of California hospital, where he has been ill for several days.

Carson isn't through suing either. There are now pending eight suits in five states on the same basis.

TWINKLING ANKLES OF YEARS AGO COMING BACK

London, Oct. 13—(AP)—The "twinkling ankles" of years ago are likely to be seen this season. Fashion experts say there will be no plain silk stockings for the society belle who wishes to be up to date. They will be adorned with silk embroidery and ribbon flowers, in the center of which will twinkle a small mock diamond. Other stockings will have embroidered silk comets, tipped with brilliants in a variety of designs.

ARMY TAKES ISSUE WITH AIR CRITICS

General Staff Presents 51 Page Defense—Unified Air Service Fundamentally Unsound.

Washington, Oct. 13—(AP)—The army general staff presented to the president's air board today a statement in rebuttal to witnesses who have urged sweeping changes in the national defense organization.

It denounced as "unsound" the proposed department of national defense, asserted that "direct administration and control" of the army air service actually does rest "in the hands of the chief of the air service," and presented a general denial of charges of mismanagement in the administration of the air service itself.

Army's Side Presented

Presented by Brigadier General Hugh A. Drum, assistant chief of staff, the statement covering 51 typewritten pages, was prefaced with the remark that "the war department has considered with pains taking thoroughness and care the various propositions and views presented to the board."

"The main proposals," it added, "have been studied in one form or another before, during, and since the world war. Consequently the war department has crystallized its views on air service organization into sane, definite and well thought out policies. These views were concurred in by the chief of air service, Major General Mason M. Patrick."

The "were" in the last sentence of the above quoted paragraph was underscored in the official text of the statement.

Fundamentally Unsound

"It is believed," General Drum testified, "that the ideas expressed by the chief of the air service are fundamentally unsound in his conception of a new national defense

(Continued on Page Six)

JUDGE BURNETT MARRIED HERE

Friends of Justice George H. Burnett of the state supreme court were surprised late yesterday when announcement was made that the Justice and Frances Lorena Wise were married at 5 o'clock in the afternoon. The wedding took place at the home of Rev. W. C. Kantner former pastor of the First Congregational church. The ring ceremony was used. The couple were attended by Mrs. Kantner and Rollin K. Page, an attorney of Salem. Justice Burnett, whose first wife died here about two years ago, is 72 years old and his bride is 32.

Justice Burnett recently sold his old home here and will build a new residence. The judge came to Salem from Yamhill county while a young man and has since made his home here having been court reporter at the supreme court, district attorney, circuit judge and supreme judge.

Pierce Asks Both Railroads Be Given Permit To Build

Portland, Or., Oct. 13.—(A. P.)—Governor Walter M. Pierce took the stand in the rail hearing today as the first witness for the Oregon public service commission, as intervenor ,and recommended that both the Southern Pacific and the Oregon Trunk be allowed to make the extensions for which they have applied. The hearing is being conducted before Charles D. Mahaffie, director of finance of the interstate commerce commission.

The Southern Pacific completed its case this morning. Paul Shoup, executive secretary of the company, testified telling of the acquisition of the Oregon, California & Eastern (Strahorn line), and the Nevada-California-Oregon company line.

He said that everything will be done by the Southern Pacific to make its control of the Strahorn line satisfactory to Klamath Falls. He said his company will begin standardizing the Nevada-California-Oregon line as soon as the interstate commerce commission gives approval and ratifies the acquisition of the line by the Southern Pacific.

Governor Pierce recited that the Oregon commission had sought to obtain a cross state line from Crane to Odell, and that a line be built south from Bend to open up a large region of the state now without rail transportation. He emphasized the need of development in the territory around

(Continued on Page Five)

SPECIAL TAX ROAD MEETINGS ON NOVEMBER 7

Annual road meetings for the purpose of voting on the question of levying special taxes in road districts of the county will be held this year principally on November 7, although more may be held later. The meetings may be held any time during November.

Up to the present time 29 meetings have been called, three or four petitions in addition are in, and officials state they know of two or three more districts which are considering holding such meetings this year.

Last year 22 road districts in the county held special meetings but all of them did not vote a special tax. There will be no bonus from county road funds this year as there was last, when the court voted to match funds up to two mills in special road taxes. The court now needs all the money for its market road program and probably there will be no more bonuses of this nature for five years, at least.

Road districts are permitted under the law to vote special taxes up to and including 10 mills. As a general thing Marion county road districts are the most consistent special road tax voters of any county in the state, which accounts to a large degree for the splendid condition which is found on the smaller, unpaved side roads of the county.

OBESITY CURES SWINDLES FOR FOOLING FAT PEOPLE

Chicago, Oct. 13—Obesity cures are almost all shrewd schemes for fooling fat people and the "trick lies in getting those who purchase them to eat less and to exercise more," Dr. Arthur J. Cramp of the bureau of investigation of the American Medical society, informed the annual meeting of the American Diet association here today.

Pheasant Season Opens Thursday

Pendleton, Oct. 13—The China pheasant season will open in Oregon Thursday morning, State Game Warden Averill announced today. He said an incorrect report had been published that it opened Wednesday morning.

COURT ORDERS REHEARING OF EUGENE CASE

The supreme court today ordered a second reargument in the case of Campbell, appellant, against the city of Eugene, in which the plaintiff seeks to have declared null and void a bond issue of $500,000 for the purpose of constructing a municipal auditorium. The order was oral and no reason given for allowing the second reargument of the case. The special election on the bond issue was held July 2, 1924, a majority of 30 votes being cast for the bond authorization.

Opinions handed down today were:

Robert C. Kinney, appellant vs. Birdie F. Schlussel et al, appeal from Multnomah county. Suit to compel the specific performance of a contract. Opinion by Justice Rand. Judge J. U. Campbell, affirmed.

Charles Overion vs. William M. Stocker, appellant. Appeal from Lincoln county on motion to dismiss appeal. Continued for further action. Opinion by Chief Justice McBride.

J. G. Megler and company vs. D. S. Tarabochia, appellant. Appeal from Clatsop county. Motion to dismiss appeal granted in opinion by Chief Justice McBride.

City Motor Trucking company, appellant vs. Franklin Fire Insurance company. Appeal from Multnomah county. Suit to collect insurance. Opinion by Justice Coshow. Judge George F. Skipworth affirmed.

John H. Deaneby vs. Watt & Washburn, appellants. Appeal from Klamath county. Suit to recover money. Opinion by Justice Burnett. Judge A. L. Leavitt reversed and case remanded.

State of Oregon ex rel School DDistrict No. 56, of Columbia county vs. B. F. Kleckner, et al, appellants. Appeal from Clatsop county. Suit to test the validity of consolidation of school districts. Opinion by Justice Belt. Judge J. A. Eakin reversed.

In re the Estate of August Gerhardus, deceased, Benjamin C. Anderson appellant, vs. Emma Rayley, executrix. Appeal from Multnomah county. Opinion by Justice Belt. Judge George Tazwell affirmed.

BUILD UNITY OF EUROPE AT LOCARNO

Questions of Germany Entering League and Polish Guarantees Settled to Insure Peace.

Locarno, Switzerland, Oct. 13—(AP)—"It is the unity of Europe which we are building at Locarno," said one of Europe's foreign ministers to the Associated Press today in commenting on the progress of the security conference.

"You can take it for granted," he continued, "that the question of Germany entering the league of nations already settled, and as for the nature of the French guarantees for the integrity of Poland Czecho-Slovakia, you can say there will be difficulty as all sides are determined to reach an accord.

"The formula for the latter program is yet to be found but it will take the form of mutual guarantees operating under the league of nations covenant, whose pertinent articles we will cite instead of brutally talking of direct guarantees."

The correspondent learns from other sources that the Rhine security pact contains no stipulation as to the length of its duration and that there is no present intention to seek revision of the penalty clauses of the league covenant as a result of the gentleman's agreement with Germany. The allied statesmen feel it would be impossible to secure the necessary unanimous approval of the league council for such a move.

If therefore, German officials approve the league of nations arrangement with the allies, it is evident that she must risk her chance of convincing the council after she has become a member that she is impotent to contribute economic, financial or military help in any league move against a proclaimed aggressor nation.

Under the gentlemen's agreement Great Britain, France and Italy, as permanent members of the league of the council express their views that Germany can only be called upon in proportion to her means.

COMMUNISTS STRIKE IN FRANCE A FAILURE

Paris, Oct. 13.—(A. P.)—Aside from Paris and its environs, the general strike called by the communists as a protest against the warefare in Morocco appears to be a failure. In Paris and the suburbs two men were killed and some 30 wounded during fighting yesterday between mobs and the police, but there were no disorders in any of the other large cities, where the call of the "Muscowteers" as the communists have been nick-named, was scarcely heeded.

$250 000 Silk Stolen.

New York, Oct. 13.—Silk valued by the owners at $250,000 was stolen from the show rooms of S. J. Aronson, in Madison Square this morning by four robbers, who left the watchman handcuffed and gagged. He was found seven hours later. The silk was hauled away in a truck.

Donor of Davis Tennis Cup Named Secretary of War

DAVIS NAMED AS SUCCESSOR TO JOHN W. WEEKS

Washington, Oct. 13.—(A. P.)—Dwight F. Davis of Missouri today was appointed secretary of war.

He takes the place of John W. Weeks of Massachusetts, whose retirement because of ill health, was formally announced at the White House.

The change is effective immediately.

As assistant secretary, Mr. Davis has been actual head of the war department since last spring when Mr. Weeks was sent to New England by his physicians for an operation and a long vacation.

In his letter of resignation, the retiring cabinet member said it had become apparent that he must greatly prolong this vacation if he is to completely regain his health. President Coolidge replied that he acceded with great regret to the secretary's insistent request that

(Continued on Page Five)

HIGH RENTALS CAUSE STRIKE

New York, Oct. 13.—(A. P.)—Disorders due to a general strike against high rents have led to action by United States troops in Panama at the request of the Panama government.

Advices from Panama tell of the city being policed by United States soldiers. Presumably they are members of the Thirty-third infantry, stationed in the Canal Zone at Fort Clayton, five miles from Panama City.

Disorders ceased on arrival of the troops. When the troops raided strike headquarters, one striker jumped to the street from a balcony and was killed. The troops closed strike headquarters and confiscated literature. Tenants have been on strike all the month in an effort to compel landlords to limit their earnings to 12 per cent yearly.

New York.—Frances Alda of the opera has bought herself an armored automobile in fear of holdups in New York.

3 CONVICTS WITNESSES FOR MURRAY

Defense Seeks To Establish That Defendant Under Influence of Merrawaunna Time He Fled

The trial of Tom Murray for the murder of Guard John Sweeney in the prison break of August 12 will not go to the jury before tomorrow it was evident at the close of this morning's session of the court. The opposing attorneys were agreed that they would probably not get to their final arguments before morning.

Defense witnesses took up the entire morning session of the court, with three convict companions of Murray at the prison as the principal witnesses. Dale Arthur, this first of the three, said that he was standing in the west corridor of the north wing of the prison and saw the break of Murray and his companions across the yard, and witnessed the shooting from a window. He said that the first shots in the break were fired by the guards on tower No. 1 at the convicts when they were in the turnkey's office. He said he saw Oregon Jones run out on the steps and fire at tower one with a rifle, but that the only shot he saw Murray fire was one from behind an oak tree in the prison yard at the guard in the tower. This is the shot that the state contends killed Sweeney.

All Tell Same Story

As to this part of the escape all three of the convict witnesses testified alike. They all said they saw the break from the windows overlooking the front yard.

Throughout the morning the defense was seeking to establish that Murray was under the influence of merrawaunna at the time of the break, and much of the testimony

(Continued on Page Five)

SAYS EX-CONVICT THREATENED TO DYNAMITE WIFE

C. Fred Burr, ex-convict, was a most unpleasant man to live with if evidence bears out the assertions of Agnes Burr, who has filed a divorce complaint against Burr on grounds of cruel and inhuman treatment.

According to the complaint her husband was so playful he threatened to put dynamite under her bed and blow her up. She also declares he put knives and razor blades beneath his pillow so as to have them handy, she declaring that he did so with the avowed purpose of taking her life.

While he never resorted to such sanguinary means as were implied in his threats, she say he did beat her with his fists and made life very burdensome and miserable for her.

They were married at Jacksonville on June 26, 1916, and Burr was sent to prison from Coos county for an unnatural crime.

Burr was paroled after serving a considerable part of his sentence and went to Eugene, where he was employed by a railroad company. While there he reported to the police that he had been held up and robbed of $200 or more. Investigations convinced the police he had staged a fake holdup to deceive his family and he was returned to the prison where he served out his time. After being released the family lived in Salem in poverty and squalor, according to the officers. Police have been frequently called to settle family difficulties, it is said.

Bertie May Bailey also seeks a divorce. She asserts her husband, James E. Bailey, has accused her of infidelity and has called her vile names. They have one child over which she desires the custody. Property rights have been settled out of court, the complaint says. They were married April 5, 1914.

Murray Indifferent As Attorneys Argue Murder Laid to Him

A hot, stuffy courtroom with the late afternoon streaming through the windows, a room full of people half asleep, nine men in the jury box slumping in their chairs, three women in the jury group half heartedly wielding palm leaf fans— that was the setting yesterday when Tom Murray, who occupies the center of the stage, completed his testimony after several hours in the stand. It was hard to believe that here was being enacted a scene of supreme importance of the man, hardly more than a boy, who told, in a firm, clear voice, the story of his escape, with two other prisoners, Willis and Kelley, from the Oregon penitentiary in which one of the prisoners and two guards were killed.

Even a second rate tailor could easily change Murray into a reproduction of a college sophomore. His frank, open face with its huge dimples showing when he smiles, his unruly blonde hair cut short,

(Continued on Page Five)

MADDEN'S AIR PLAN OPPOSED

Washington, Oct. 13.—Major General Mason M. Patrick, army air chief, opposed before the president's air board today a proposal advanced yesterday by Chairman Madden of the house appropriations committee, to transfer all aircraft experimental work from the army to private enterprise.

General Patrick took exception to Mr. Madden's testimony that "millions of dollars" had been "squandered" by the army in a "reckless expenditure of funds for experimental work." Much experimental work, he said, is necessary to show what should not be done.

Council Requested To Provide Budget To Value Water Works

The city council will be asked to include in the 1926 budget an item of $3,500 for the purpose of paying engineers to make an appraisal of the water system of the Salem Water Light & Power company with a view to the plant's being purchased by the city. This was decided at a conference last night at the Chamber of Commerce between the special water committee of the city council and the sub-committee of five members named from the membership of the citizens' general committee of 25.

It is planned, if the council adopts the recommendation, to have the appraisal made early enough in the coming year to have the proposed purchase of the plant placed on a special ballot at the date of the primary elections in May, 1926.

For the proposed appraisal it is planned for the city and the water company each to name an engineer and have the two, if necessary, appoint a third.