

OCT 29 1925 LIBRARY

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

Capital Journal

UNSETTLED TONIGHT And Thursday, probably rain in north-west. Light southwesterly winds.

FORTY-SEVENTH YEAR No. 257 SALEM, OREGON, WEDNESDAY, OCTOBER 28, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

GREEKS DEFY LEAGUE EDICT

ARMY COURT AUTHORITY CHALLENGED

Prejudice Is Charged To Summerall and Bowley By Defense; Sladen Is Also Excused.

Washington, Oct. 28.—(A. P.)—After having returned the retirement of three members of the court martial chosen to try him, Colonel William Mitchell late today challenged the jurisdiction of the court.

Through his counsel the colonel pleaded that specification against him did not constitute any offense falling properly under the articles of war, and that a court martial therefore was without authority to try the case.

Washington, Oct. 28.—(A. P.)—Colonel William Mitchell began his defense at his court martial here today by driving from the bench three members of the court, including its president, Major General Charles P. Summerall.

General Summerall withdrew on his motion after he had been charged with prejudice against the defendant and Brigadier A. J. Bowley was disqualified by a defense lawyer on the court after a defense challenge had been lodged against him on similar grounds.

A summary verbal clash between General Summerall and Colonel Mitchell, presiding at the court, followed Summerall's request that the court excuse him from further attendance.

Prejudice Aligned. In support of his challenge, Mr. Reid read statements made by General Summerall before the president's air board and coupled with their extracts from the report of Colonel Mitchell after he inspected the air defense of the Hawaiian department, at that time commanded by General Summerall.

"I have learned for the first time," General Summerall said, "of the equally Colonel Mitchell has toward me. The report he made is untrue, unfair and ignorant. This is not the place to prove the efficiency of the air service of the Hawaiian department. I cannot sit as a member of this court. I beg the court to excuse me from further attendance."

Vacancies Stand. The court granted the request after a short consultation.

General Summerall's retirement (Continued on Page Five)

ALLEGED BOOTLEGGER ACQUITTED BY JURY

Medford, Or., Oct. 28.—Jack Durando, on trial in the circuit court since Monday morning charged with "possession and sale of liquor," was acquitted by a jury late Tuesday after five hours' deliberation.

It was the first case on the docket, for the present term of the circuit court. Durando had been in the county jail several weeks awaiting trial.

GOOD EVENING WORDS and MUSIC

By Stoddard King BALLADE WRITTEN TO OBLIGE

"We should like to read the frank memoirs of the prince's visit, especially a ballade with the refrain: 'These are the things that bored me most.'—F. P. A. in the New York World."

Your climate and your railroad trains, Your flappers and their endless zest (I understand you call them 'fans')— These are the things I liked the best.

The endless tendency to boast, The Yankee pride to boast, And your idea of a jest— These are the things that bored me most.

Your folk-songs and their queer refrain, Your jazz bands—do they never rest?— The dashing cowboys of the plains— These are the things I liked the best.

Hearing a waistcoat called a vest Twice in one evening, by my host; The autograph-desiring post— These are the things that bored me most.

Your art of taking endless pains To leave no bedtime for a guest; And all that hitherto pertains— These are the things I liked the best.

The interviewer's pert request, Spoiling the feast, the Banquet's ghost, And the photographer's hehest— These are the things that bored me most.

Your Indies, and the way they dressed— These are the things I liked the best.

Your mayors, and your buttered toast— These are the things that bored me most.

Again there are knitted brows in the treasury department over the question of whether the making of \$2 bills shall be discontinued, and again this department announces that any one dreading bad luck from the possession of a \$2 frogskin can send it to this address and we will take a chance with the hoodoo.

SCALE TO WEIGH TRUCKS ORDERED

Portland, Oct. 28.—The state highway meeting here today accepted the proposal that a platform scale be purchased and installed along the Pacific highway at Canemah so that traffic officers, when they wished to test the weight of a truck, can take the carrier directly to the scale and get the figures without having to drive to a town. The scale will cost about \$2000.

The commission's engineer was ordered to investigate the traffic congestion at Oregon City with a view of opening up Railroad avenue to relieve the jams on Main street. It is also proposed to extend the pavement there over the hill.

The city of Canby was relieved from any more payments on money due the state for paving the Pacific highway through the city limits. The cost was about \$4000, and the town has paid \$2200, but is having a hard time to raise funds.

Police Deny They Fell for Trick In Robbery Attempt

Whether an attempt was made shortly before 7 o'clock yesterday morning to burglarize the West Fur company's store on Liberty street is a question. The manager of the store believes an attempt was made to enter the store. Some woman, it is said, called the police station and informed the officer in charge that the burglar alarm at the store, which is connected with the police station, would ring in a few minutes, but that it was simply being tested, and asked the officer not to pay any attention to it. Shortly after that, when the proprietors of the store discovered that someone had tried to enter the place. A transom was found unlocked, it is claimed, in the morning.

BOYS TOLD TO SIGN PLEDGE OR STAY OUT

High School Youths Given Chance To Return To Classes; President of Students Involved.

The 17 high school boys who were suspended from school Monday because of their membership in the re-organized Friars fraternity will be permitted to return to school immediately upon their signing a new pledge, it was announced at high school this noon. The pledge, which the boys have taken under advisement, reads as follows:

"We the undersigned members of the Friars club hereby agree and promise on our honor to withdraw from our organization and make no further effort to organize this or any similar club, without having first obtained the sanction of the school authorities. Most Admit Error. "We wish it understood that it was not our intention to defy the order of the board, but we were acting under legal advice that the proposed club was not in violation of the rules. We admit that we were in error in not first consulting the school authorities and intend from now on to take no step of this sort without the approval of the superintendent or principal. "We therefore ask to be reinstated with the understanding that the whole matter is to be dropped without prejudice. We agree also to secure the signatures of our parents to this pledge, as evidence that the action which we hereby take is known and approved by them."

This afternoon all indications (Continued on Page Four)

TAKES POISON FOR HEADACHE

Roseburg, Or., Oct. 28.—Miss Jean Maddox, the popular young daughter of Mr. and Mrs. B. W. Maddox, and a junior in the Roseburg high school, is critically ill today as the result of taking poison on tablets which she mistook for aspirin. Her condition, although somewhat improved over the early hours of the morning, is very serious and her recovery will be a matter of doubt for several days.

Miss Maddox returned from the show late yesterday evening suffering from a severe headache, according to her parents. She went to the medicine chest to procure some aspirin tablets, and as there was no light in the room obtained the wrong bottle. She took several of the tablets and then went to her room.

Passing over the brilliant military career of Sanmarino, President Coolidge said he was "like our Washington, one of those seemingly inspired military chiefs, who are capable of thinking, at the same moment of terms of war and of politics, of the battlefield and the great human drama. For me the great significance of Sanmarino and his deeds and finer lies less in their brilliancy in the moment of accomplishment and more in the justifying verities which a later time and a ripper experience have pronounced upon them."

STINNES HEIR PLANS TO START ANEW IN U. S.

Berlin, Oct. 28.—(A. P.)—Tired of family quarrels and squabbles with bankers and receivers over the remnants of the family fortune, Dr. Edmund Stinnes, eldest son of the late Hugo Stinnes, industrial magnate, has secretly embarked for the United States. His unexpected departure, friends say, represents a determination by young Stinnes to seek a new undeveloped environment.

TAX BOARD FACES THREAT OF BEING STARVED OUT

Washington, Oct. 28.—(A. P.)—Appropriations recommended by the budget bureau for the board of tax appeals next year will force suspensions of the board, its chairman today told the house ways and means committee.

NEIGHBORS' PEACE AIMS ARE LAUDED

Coolidge Sees Lesson For World Powers In Example Set By Latin-American Nations.

Washington, Oct. 28.—(A. P.)—South American statesmanship with its goal of lasting peace was held up as a model for the world by President Coolidge today in accepting a gift from Argentina to the United States. A monument to General Jose de Sanmarino, Argentine soldier, patriot and statesman.

Praising Sanmarino as Latin America's George Washington and as one of the most foremost creators of the new world, the president stressed "the fact that South American statesmanship has on the whole been dominated by an earnest and increasingly successful purpose" to avoid war.

"A show way to peace," he said, "even though the way to it was not always open."

Now when "men and nations are all giving heed to the voice which pleads for peace," the president continued, "they will do well to turn to these lessons from the statesmanship, the experience, and the constant aspiration of the South American nations." "The continent which of all the world," he said, "has known less of war and more of peace than any other through this trying period is well entitled to pride in the service it has rendered to its own people and in the example which it has set before the rest of mankind."

"The sophisticated statesmanship of an older world," he said, "has often failed to provide a way to the ultimate fate of the new American republics when they first were launched, the president said, and added: "Now, I am glad to say, we hear less of such misgivings. The institutions of men have been through their trial. That trial has quite definitely answered the questionings of pessimism. It has provided us with much specific information by which we may judge for ourselves whether the institutions of a republican new world or of a monarchial old world were best adapted as conservators of human happiness and human progress. We are content to leave the final verdict to history. The republican peoples of the Americas are prepared to take their chance on that judgment."

Passing over the brilliant military career of Sanmarino, President Coolidge said he was "like our Washington, one of those seemingly inspired military chiefs, who are capable of thinking, at the same moment of terms of war and of politics, of the battlefield and the great human drama. For me the great significance of Sanmarino and his deeds and finer lies less in their brilliancy in the moment of accomplishment and more in the justifying verities which a later time and a ripper experience have pronounced upon them."

PAINLEVE IS REQUESTED TO TRY AGAIN

Retiring Premier Asked To Form New Cabinet To Succeed Ministry Which Resigned.

Paris, Oct. 28.—(A. P.)—Premier Painleve informed President Doumergue this evening that he would form another cabinet. In accepting the president's invitation to head the new government, M. Painleve stated emphatically that Aristide Briand would remain the portfolio of foreign affairs.

Paris, Oct. 28.—(A. P.)—M. Painleve, owing to the attitude of the left groups of the chamber of deputies, has asked President Doumergue for more time before replying to his invitation to form a new cabinet. Calling on M. Doumergue at 5:10 o'clock this afternoon, he said he could not give a definite answer until later in the evening.

Doumergue today summoned Premier Painleve to ask him to form a new cabinet in succession to the one which resigned yesterday. Mr. Painleve told President Doumergue he would consult with his friends and the party leaders before definitely accepting the task of forming a cabinet. Considerable doubt is expressed that M. Painleve will accept. He is understood to have told friends he would recommend that the president choose former Premier Herriot in his place.

Paris, Oct. 28.—(A. P.)—The Syrian situation has assumed such a serious aspect that President Doumergue and Painleve, in their conference of an hour this afternoon, devoted fully half the time from considering the ministerial crisis to discussing of events in Damascus and its vicinity. This is the information imparted by the semi-official Havas agency. It is reported that General Sarrahl, the French high commissioner, has asked about 15,000 more French troops to be sent to Syria to reinforce the garrison.

BEND ENTITLED TO WATER FROM TUMALO CREEK

The way is now open for the city of Bend to avail itself of an act of the legislature whereby it will take 11 cubic feet of water from Tumalo creek for purposes of a municipal water supply, according to an opinion of Attorney General Van Winkle, written to the desert land board. The opinion is in reply to an inquiry by Mayor R. H. Fox of Bend, but since the attorney general is inhibited from advising other than state officials, he has sent the opinion to the desert land board. As a result of the legislative act it is believed here is official circles that litigation of considerable magnitude is in prospect.

The session of 1925 passed an act providing "that whenever the city of Bend . . . shall have acquired the right to appropriate from the Deschutes river at least 11 cubic feet per second of water for delivery into the feed canal belonging to Deschutes county municipal improvement district, which feed canal is now supplied from the Deschutes river at a diversion located in or near Bend, Or., then said city shall be and hereby is authorized to take from the direct flow of Tumalo creek . . . to exceed 11 cubic feet per second of water for the purpose of providing a supply of water for domestic and municipal purposes."

This act was vetoed by Governor Pierce on the advice of State Engineer Luper, on grounds that it would rob the Tumalo district of water it needs, but was passed over his veto.

Thrice Convicted Slayer Freed By Governor Pierce

A. J. Weston, twice convicted in Deschutes county and one in Wasco county of second degree murder in connection with the killing of Robert H. Krug, aged citizen of Sisters, Or., last night left the state penitentiary with a full pardon from the hands of Governor Pierce. Weston has served a little more than a year of a life sentence. His first conviction was reversed by the state supreme court and the case remanded for a new trial. The second trial was had, Weston was again convicted of second degree murder and once more the supreme court reversed it on grounds that the lower court erred in admitting new testimony and again remanded the case. A change of venue to Wasco county was obtained for the

HEAVY SNOW AND ZERO WEATHER GRIP MONTANA

Chicago, Oct. 28.—(AP)—Under a blanket of snow the mid-west and Rocky mountain region today faced the prospect of continued cold, with a cold wave in southern Missouri, Illinois and Indiana. The white covering, which broke records in Milwaukee and endangered the unharvested sugar beet crop in Colorado, was nearly ten inches thick at Helena, Mont., and a half foot or more in many sections of Iowa.

Accompanying the snowfall were dropping temperatures, reaching two degrees above zero at Hayes, Mont., the coldest spot in the country yesterday, and hovering around the freezing mark in the corn belt region. Kansas expected from 15 to 20 degrees above zero today and Omaha looked for twenty degrees.

The low temperatures in northeastern Colorado caused business men and school children to turn out in aiding farmers' efforts to save the best crop, valued at 1500,000. Some wheat will set in tomorrow, it was forecast in the northern Rocky mountain region and northwestern plains area, which, like the snow fall, will move eastward to the western Great Lakes region and thence toward the east, which so far has escaped with scattered rains.

CHECK OF DEATH TOLL IN WRECK REVEALS 19 LOST

Memphis, Tenn., Oct. 28.—(AP)—Workmen today undertook the task of salvaging the mangled twisted steel and wood which remains to remind passers-by of the derailment yesterday near Victoria, Miss., 33 miles south of Memphis, of the Sunnyside, fast passenger train on the St. Louis and San Francisco railroad. A check today revealed that 19 persons, including five negroes, were fatally injured in the wreck. Approximately three score other persons were hurt more or less severely, when four Pullman sleepers, a chair car, a combination baggage coach and smoker with the baggage, express and mail cars plunged down a 25 foot embankment close to fifty miles an hour when the accident occurred.

Railroad officials fixed cause for the wreck on an invisible defect in a rail. The defective rail was manufactured in 1918 and had been in use for six years.

O'Brien Gets Decision.

Portland, Or., Oct. 28.—Tommy O'Brien, sensational Portland banjo player, lost the decision to Young Nationalist, Los Angeles Filipino, in a fast 10-round bout here last night.

TRUSTIES FLEE FROM FEDERAL PRISON IN DARK

Tacoma, Wash., Oct. 28.—(AP)—Bert A. McGillis, 29, convicted in Portland for violation of the national motor vehicle theft act, and George Temple, alias Louie Lawson, 24, sentenced from Pocatello, Idaho, for forging postoffice money orders and violation of the motor vehicle theft act, escaped from the McNeill Island federal prison about 3 o'clock this morning. McGillis was serving a term of fifteen months begun last June and Temple was under a sentence of two and one half years begun last November.

The two were assigned to some plumbing work outside the main prison building during the night and no one was guarding them except the night watchman who had his regular rounds to make. He made frequent checks to see that they were doing the work, but when he returned at 3 o'clock they were missing.

Daylight revealed the fact that a rowboat belonging to Guard Nathan Mitchell was missing from its mooring near the machine shop and a search of the vicinity failed to discover it.

Prison officials were conducting their search for the men on the theory that they were able to get to the mainland or to one of the other islands in the stolen boat, both wear clad in prison overalls, Warden Finch R. Archer authorized rewards for their capture.

Both the father of McGillis and the wife of Temple are living in Portland.

U. S. STEEL EARNINGS FOR QUARTER 42 MILLION

New York, Oct. 28.—(A. P.)—Total earnings of the United States Steel corporation for the third quarter of the year amounted to \$42,400,413, compared with \$40,624,221 in the preceding quarter and \$30,718,415 in the corresponding period last year.

City Schools Face Prospect of Grave Shortage of Funds

Further indication that the financial status of the Salem public school system, which has been growing more acute each year since 1917, will reach its breaking point either this year or next year, was brought out at school board meeting last night. The maximum amount permitted to be raised by taxation for school purposes each year is allowed by state law to be only 6 per cent more than the sum of the previous year. With the city of Salem growing at a rate in excess of 6 per cent annually, and school needs keeping pace with the growth of the city, if not exceeding it, the school board is confronted by a situation which grows

OCCUPATION OF BULGARIA CONTINUED

Villages Are Bombarded Early Today Say Sofia Dispatches; Greeks Say Retirement Ordered.

Sofia, Bulgaria, Oct. 28.—(A. P.)—Despite the warnings of the league of nations council, Greek troops at daybreak continued to occupy Bulgarian territory, and there were no signs that they intended to withdraw. Bulgarian officials, in making this announcement, said a number of villages were bombarded during the early morning hours.

Extracts from articles in the Turkey, favoring intervention to show that there is sentiment in Turkey favoring intervention to "protect Bulgaria from Greek aggression." The Macedonia Union of Cultural Societies has forwarded a protest to the league of nations against the Greek continued occupation of Bulgarian soil.

Bulgarians Attack

London, Oct. 28.—(A. P.)—An Exchange Telegraph dispatch from Saloniki, Greece, declares that while the Greek troops were withdrawing from Bulgarian territory this morning they were attacked by Bulgarians. Paris, Oct. 28.—(A. P.)—Greece announced at today's meeting of the league of nations council that she had given orders for her troops in Bulgarian territory to retire behind her own frontier. She assured the council that complete evacuation of Bulgaria would be carried out within the sixty-hour limit laid down by the council.

GRANGE HAS NEW HYDRO PROPOSAL

The state grange has withdrawn from the secretary of state its petition for an initiative bill for state control of hydro-electric development, and has filed a new petition that will limit state bond issues under the proposed constitutional amendment. A new bill (title will be necessary. The original measure as proposed allowed an unlimited bond issue. The new one will limit bond issues to 4 per cent of the assessed valuation of the state.

City Schools Face Shortage of Funds

more reports each year, according to reports brought to last night's meeting. Ways and means of raising the amount of revenue were discussed at length. The possibility of getting the 6 per cent ruling abolished by the legislature at its next session was mentioned. "I don't believe there's any hope of having it abolished," said George Hux, superintendent of schools. "In most parts of the state it has been found to be a good thing, doing away with low rapid increase in expenditures." The only alternative remaining to the board, it was stated, is to (Continued on Page Five)