

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

Capital Journal

LIBRARY OCT 31 1925 CLOUDY TONIGHT And Saturday, normal temperature, light westerly winds.

Forty-seventh R No. 259 SALEM, OREGON, FRIDAY, OCTOBER 30, 1925 PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

CONVICTS HANG JANUARY 8

NOT GUILTY PLEA FILED BY MITCHELL

Air Service Critic Enters Formal Denial That Charges Were Violation of Discipline.

Washington, Oct. 30.—(A. P.)—The question whether Colonel William Mitchell's defense counsel will ask his court-martial to subpoena President Coolidge, was taken under advisement today by Representative Reid of Illinois, Colonel Mitchell's counsel. No subpoena can be issued before the court convenes Monday.

The defense also is considering the advisability of seeking a subpoena for Secretary of War Davis, since Colonel Mitchell's counsel contends that the war secretary, as well as the president is the accused in the trial of the air officer.

Regardless of the decision of the defense in the matter of subpoenas the court martial, in the opinion of army legal officers, probably will refuse a presidential subpoena. Precedent, they say, is all against such a course.

Washington, Oct. 30.—(A. P.)—Having lost every preliminary effort to halt the court martial proceedings against him, Colonel William Mitchell today pleaded not guilty to the charges against him and informed the court he was ready to stand trial.

The air officer stood smiling to answer the charges. He said "not guilty" as each of the charges and specifications were called in turn by the prosecuting officer.

Details Are Denied. The plea did not deny the accuracy of the charge that the colonel, had in his San Antonio statement, accused his superiors in criminal and almost treasonable conduct in administering the air services of the government, but merely comprised a denial that this accusation constituted conduct in violation of good order and discipline, as declared in the charge.

The request for a bill of particulars was thrown out by the court after a heated argument between counsel, in which Representative Reid of Illinois, representing Mitchell, declared the charges as worded by the war department were "too vague."

Technicality Overruled. The court's law officer held that since the charges were set out in the specifications already filed, the request of the defense should be denied. This finding the court accepted without objection from any member.

After the plea of not guilty had been entered, Mr. Reid objected that the proceedings were not according to the court manual, since the charges against the accused had not been brought in the manner fixed by the manual. This objection the court overruled.

Little progress on the trial itself was made, however, at today's session.

GOOD EVENING WORDS AND MUSIC By Stoddard King

TO A BIRD OF PASSAGE Swallow, swallow, flying south, As you've done for generations, To the land of warmth and drought, Plans, and tourists on vacations, To oblige me, kindly greet All my friends whom you may meet.

Tell them, swallow, that I face Snow, and meager at zero, With the greatest of good grace, Like, in fact, a blooming hero. Tell them I am quite myopic Toward attractions that are tropic.

Like the swallow, many folk Suffer migratory yearnings When the cost of coal and coke Threatens to deplete their earnings. And to them the happiest bourne is Where there isn't any furnace.

Little bird, I think they're wrong (Though, of course, they won't admit it) And the burden of my song Will be, after I have writ it, That to seek a different clime Is, in short, a waste of time.

Swallow, swallow, flying south To the refuge of the chilly, Take to them by word of mouth My opinion that they're silly. Tell them that you saw me, and say that I was looking grand.

It takes an up-and-coming hero of a novel to exhibit a brand new symptom of the devastating effects of love. But such a prodigy is to be found in one of the fall novellas. "His throat crackled," relates the author at the climax of an emotion al scene.

Cancer, rheumatism and mastoiditis were common 4000 years ago, says an English scholar. Also, to judge from a well-known passage in "Julius Caesar," halitosis was common among the Roman plebs.

Cooking schools for men are being conducted by gas companies in various cities, but what the country really needs is men who can wash dishes. (Copyright 1925)

SARRAIL ASKED FOR FACTS UPON SYRIAN REVOLT

Paris, Oct. 30.—(A. P.)—General Sarrail, French high commissioner in Syria, will be invited to come to Paris and submit detailed explanations of the recent events in Syria. This decision was reached tonight at a special meeting of the cabinet to consider the Syrian situation.

Paris, Oct. 30.—(A. P.)—The semi-official Havas agency says that Paul Moncur, a leader of the socialist party and former minister of labor, has been asked to become French high commissioner in Syria, replacing General Sarrail. Havas says it is probable that General Sarrail will be recalled to Paris shortly to explain events in Syria. A special cabinet council to discuss the situation has been called for tonight.

Denver, Colo.—Testimony on which the state expects to hang Ray F. Shank, machinist, for the murder of his wife and 17-year-old son, was given in his trial by his own daughter, Ruth, 21-year-old college graduate.

Wit and Devotion of Sweetheart Allows Bandit His Freedom

Chicago, Oct. 30.—(A. P.)—A woman's wit and devotion and a man's ability to slip and shoot his way through the waiting hands of police are stories behind the determined search for Martin J. Durkin, steel vested slayer of a federal agent and bane of policemen in several cities. He is still at large.

AMBASSADOR DOESCHNER IS RECALLED

Berenger Is Selected To Represent France In Washington; Shift Is Due To Debt Matter.

Paris, Oct. 30.—(AP)—It is learned on high authority that Senator Victor Henry Berenger will be appointed shortly to succeed Emile Daeschner as French ambassador to the United States.

The decision of the government to change ambassadors in Washington is closely related to the American debt funding negotiations.

Foreign Minister Briand has impressed upon Premier Painleve and others of his colleagues in the cabinet that another effort should be made to settle the debt.

Senator Berenger is regarded as the best man available to bring this about. His financial authority in France, his intimate acquaintance with the subject and the ideas he derived from his recent experiences in Washington as a member of the Callaux debt mission have persuaded the government that it is something more to be done, he is the man to do it.

There is a disposition in some quarters to criticize Ambassador Daeschner for his dispatches to the foreign office prior to the departure of the French mission for the United States, it being declared that these advices left M. Callaux and his party under misapprehension as to the attitude of the American debt-funding commission.

Formalities Pending. The usual inquiry whether M. Berenger is persona grata to the American government as ambassador has not yet been made but is expected to follow in due course.

Senator Berenger, seen by the newspaper men as he went about to leave town for the week end, said he had not the slightest knowledge of his prospective appointment.

So far as disclosed, M. Daeschner's contracts with the American government have been of an agreeable character, and he has made many friends in American official life.

There is no doubt, however, that in one respect the mission to the United States has failed. It was generally understood when he succeeded Jules Jusserand that his major duty would be to pave the way for a settlement of the French war debt, and to that end he had many conferences with American officials.

PROBATE OF WATT ESTATE IS ASKED

The name of Elizabeth P. Watt, which has been in probate court records for a number of years, storm center in litigation going to the circuit and supreme courts, came back into the probate records yesterday in a new form. This time it was to probate her \$19,000 estate as a decedent. George W. Watt, a brother of Hoboken, and Elma A. Watt, a sister of Los Angeles, are named as nearest relatives. Thomas Holman is named as administrator, no will having been left. T. Hildon, Drive Dragger and U. G. Boyer are appointed appraisers.

SUCCESS OF LEAGUE IDEA IS CLAIMED

Settlement of Bulgarian Greek Controversy Is Declared Proof of Effectiveness.

Paris, Oct. 30.—(AP)—The council of the league of nations, hurriedly summoned on Monday last to prevent threatened hostilities between Greece and Bulgaria, adjourned today with its task accomplished.

Official notification from allied military experts on the scene was present at the final meeting that the Greeks had completed their evacuation of Bulgaria soil eight hours before the time limit set by the council.

A commission of inquiry, headed by Sir Horace Rumbold, now will proceed to the spot, investigating the incidents leading up to the Greek occupation of Bulgarian territory and report its findings to the December meeting of the council.

The closing of this week's session—the thirty-sixth held by the council, was marked by a moving address by Aristide Briand, the president, who declared the league's existence had been fully justified by this settlement alone.

In reverent tones, which thrilled his hearers, Mr. Briand dedicated the session just closed to the memory of Woodrow Wilson, who proposed and realized the league of nations and of Leon Bourgeois, the French statesman, who presided over the peace conference commission which adopted the league covenant.

The members of the council went on record as insisting that all nations henceforth must follow the example of Bulgaria and Greece, submitting their disputes to the friendly offices of the league.

2 CARS CARRYING BIG BOOZE CARGO CAUGHT ON ROAD

Roseburg, Or., Oct. 29.—Federal prohibition officers, under the direction of A. B. Hamer of Washington, D. C., who have been patrolling the Pacific highway north and south of Roseburg and establishing a virtual blockade for the past two days, seized their quarry today when they captured C. E. King and W. H. Snider both of Scraper, and confiscated 65 gallons of pure alcohol and 22 cases of gin, carried in two cars. Both men were accompanied by their wives. Following their arrest they were arraigned before United States Commissioner C. F. Hopkins, who placed bail at \$2500 each and bound them over to the federal grand jury at Portland.

Having received a tip that two booze cars were on the way north from San Francisco, six federal officers appeared in the city on Wednesday and commenced stopping cars from both the north and south. During the day time only suspicious cars were stopped, but at night every car passing along the highway was forced to stop and was subjected to a thorough search.

This morning about 10 o'clock the two cars driven by King and Snider were stopped just south of the city limits. King's car was found to contain 65 gallons of pure alcohol, there being nine cans of five-gallon capacity and 20 cans of one-gallon capacity. The other machine carried ten full cases of gin and four half cases.

The liquor cargo is valued at approximately \$1500, in addition the government will confiscate the two cars, one a Dodge coupe and the other a Studebaker roadster, according to Mr. Hamer.

New York.—Caruso lost most of his vocal quality when he tried to sing in German. Otto H. Kahn reveals in a pamphlet explaining why the Metropolitan has no opera in English.

STILLMAN IS ACCUSED WIFE WANTS DIVORCE



New York, Oct. 30.—(A. P.)—Mrs. Anne U. Stillman, who defeated James A. Stillman's sensational prolonged suit to divorce her, has now begun suit to divorce him.

Papers were filed in West Chester county more than a month ago and the action was kept secret. It is expected that no witnesses will be introduced in Mrs. Stillman's suit, but that a certified transcript of the testimony in her husband's suit to divorce her and illegitimate Guy Stillman as the son of Fred K. Eauvais, a French Canadian Indian guide, will be offered as evidence.

Mrs. Stillman fought her husband's suit by countering that he had misconducted himself with Mrs. Florence H. Leeds, that her son, Jay Ward Leeds, was in reality the son of Stillman and that Mrs. Leeds actually was Florence Bradley, an actress, who quitted Broadway for sudden affluence.

A. F. LOCKWOOD MODEL FARMER DIES IN SLEEP

A. Fletcher Lockwood, owner of a model farm between Salem and Turner, where he and his wife have lived for the past six years, passed away while asleep in bed at his home at 11:20 o'clock last night. He had recently completed construction of a barn with corrugated steel supports, concrete and tile at a cost of some \$7000. He expected shortly to build a new house. The barn had not been stocked with either horses or cattle at the time Mr. Lockwood's death took place.

Mr. Lockwood was the nephew of Andrew Fletcher, president of the W. & A. Fletcher company, steamship outfitters of Hoboken, New Jersey, and president of the American Locomotive Works.

He leaves a widow, Ruth, and no children. He was 44 years of age. Buying the farm in a very ordinary condition six years ago, Lockwood had improved it to such an extent that it was considered a model in the Willamette valley. His 50 acres were devoted almost entirely to nut trees.

The exact cause of his death has not been definitely determined, but is presumed to be heart disease. His wife heard him choking while lying in bed last night, but he was dead when she reached him.

SCOUT BUDGET RAISED, CLAIM

The campaign for funds for the Salem boy scouts, started in the city yesterday, reached a successful conclusion today. It was announced this noon by Fred Thibault, who had charge of the campaign.

"We'll have the entire \$3000 in by tonight," said Thibault. "If we had found everybody in We would have finished yesterday." The final report last night was that \$2400 of the anticipated \$3000 had been raised at that time, according to Mr. Thibault. All remaining to be done today was to make a number of return calls.

PIERCE SAYS WESTON CASE WAS FRAMED

Governor Declares Man Pardoned Was Victim of False Evidence in Murder Trial.

The full pardon granted A. J. Weston by Governor Pierce was based on the theory that no murder was committed and that Robert H. Krug, the dead man, was burned to death accidentally in his cabin near Sisters, Or., according to a statement relative to the pardon that was issued by Governor Pierce today. The governor says frankly that he does not believe the story told by George Stillwell, one of the witnesses, whom the shepherd refers to as a "drunken sheepherder and illicit distiller."

The governor declares his belief that Weston "has been the victim of a cold-blooded frame-up as was ever known in the records of western criminal procedure." The statement in full follows:

"Convinced of Innocence. "I granted a full pardon to Jack Weston after becoming thoroughly convinced that he was innocent of the murder of Krug. Special investigations have continued over a period of nearly one year. Numerous reports have been submitted to me; I have had many interviews with Jack Weston and with various other people. Some believed Weston innocent and others believed him guilty. I interviewed Stillwell at length. I read and re-read the testimony in the various trials. The verdict of two juries convicting Weston were set aside by the supreme court. I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"These exhaustive investigations have convinced me that Krug was not murdered. He was an old recluse, living in a lonely mountain cabin, with only dogs for companions. Being an inveterate cigarette smoker, he often smoked in bed. Testimony shows that he frequently set fire to his bedding.

Evidence Held False. "Stillwell's story as told me, is so improbable that I do not believe it. It differed in many particulars from his story on the witness stand. His evidence at the various trials also varied. Weston was convicted solely on the evidence of Stillwell and Wilson. I have had the careers of all three men carefully investigated. Jack Weston was for several years a well-known, trusted officer of the law in central Oregon. At one time he had quite a little fortune. Simple caution, to say nothing of his high type of intelligence, would have prevented Weston from committing such an indiscreet act as to force the unwilling, drunken sheepherder and illicit distiller, Stillwell, to accompany him to the gallows.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

"I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal.

KELLEY AND WILLOS SAY TRIALS FAIR

Both Deny Intention To Kill In Break From Prison; Appeals Are To Be Taken.

Ellsworth Kelley and James Willos, convicts at the state penitentiary who were implicated in the prison break of August 12 last in which two guards, John Sweeney and J. M. Holman, were killed, were today sentenced by Judge Percy R. Kelley to be hanged Friday, January 8, Tom Murray, leader in the prison delivery, whose gun killed Sweeney and seriously wounded Lute Savage, another guard, is under sentence to be executed Friday, December 18. Bert (Oregon) Jones, a fourth prisoner involved, was killed in the break, probably committing suicide after he had been wounded.

Neither Kelley nor Willos were a dejected appearing pair when brought before Judge Kelly early today. They did not seem nervous, and both made rather extended statements, but both were unshaven and pale. Willos' pallor was particularly noticeable because normally he is of ruddy complexion.

Kelley was the first to be sentenced. Before Judge Kelly pronounced the grim words, "You shall be hanged by the neck until you are dead, and may God have mercy on your soul," he gave each man opportunity to speak.

Denies Killing Holman. "I want to say," said Kelley, "that as far as the jury is concerned I have had as fair a trial as could be expected under the circumstances. But without apology I want to say that I am a victim of circumstances. I did not kill Holman as the state has tried to show, and in time it will be proven that I did not kill him. That's all I have to say."

Willos also said his trial had been fair. "But I am not guilty of murder in the first degree," he added, "I never harmed any man during the get-away, and never had the least idea of harming anyone. I am very sorry."

(Continued on Page Seven)

PAINLEVE WILL SIDESTEP DEBT FOR TIME BEING

Paris, Oct. 30.—(AP)—Premier Painleve, having taken over in his newly formed cabinet the portfolio of minister of finance from which Joseph Caillaux was deposed by the resignation of the ministry, is to sidetrack for the present the question of France's debt to the United States.

M. Painleve will devote his attention to untangling the snarled skein of France's other debts and financial complications. While he has not made any statement to this effect, it is asserted that he regards the American debt question of less pressing importance than the financial problems at home.

It is asserted that M. Painleve realizes that the proffer of a small sum to the United States that was mentioned in the tentative agreement reached by M. Caillaux at Washington with the American debt funding commission would not be acceptable to the American government and that he is of the opinion that the French people would not back himself and his ministers out in offering a large sum.

The premier and his new cabinet already have heard what is in store for them at the hands of groups of the coalition if they fail to take extreme measures to straighten out the financial troubles of the country. They have been told that the support of these groups will be lacking if the government fails to follow a policy of national conservatism and rejects the demands of the extremists for policies decided upon outside parliament.

(Continued on Page Four)

Judge D'Arcy Visits San Francisco Which He Saw 70 Years Ago

The San Francisco Bulletin of October 9 contains the following concerning Judge P. H. D'Arcy of Salem, then paying a sentimental visit to San Francisco.

"Seventy years and 24 days ago little P. H. D'Arcy, 100 young to know what it was all about, arrived in San Francisco from New York.

"Six years before a man named Marshall had picked up a nugget of gold beneath a mill wheel, and had brought adventures from all four corners of the world to a few couples.