

CIRCULATION
Daily average net paid circulation for month ending October 31, 1925
7352
Average daily distribution 7553.
Member Audit Bureau of Circulations.

Capital Journal



FAIR TONIGHT
and Sunday. Freezing temperatures in east, frost in west portion. Fresh easterly winds.
Local: Max. 52; min. 31; rain, none; atmos. clear; wind, north.

FORTY-SEVENTH YEAR No.

SALEM, OREGON, SATURDAY, NOVEMBER 21, 1925

PRICE THREE CENTS ON TRAINS AND NEWS STANDS FIVE CENTS

GANGSTER KILLED IN COURT

28 ILLEGAL ITEMS CITED BY McMAHAN

Protest Made To County Court On Bills Submitted By Justice Small For Court Actions.

Following investigation of 28 claims for fees made against the county by Justice of the Peace Brazier Small ranging from \$5.75 down to 75 cents, Circuit Judge McMahan, in the role of private citizen, has addressed a letter to the county court protesting against the payment of the claims in question on the ground they are illegal and not proper charges against the county.

"In justice to the official claiming the various amounts to the payment of which I object, it is only fair to state he has only followed precedents hoary with age; that they are not established by him," stated Judge McMahan in his letter.

Expense Duplicated. Judge McMahan, in his letter, utters a protest against an alleged practice for police officers of the city to make arrests of persons charged with some offense of which the recorder's court has jurisdiction and file such cases with the justice of the peace, declaring these should be tried by the recorder as ex officio justice with no expense to the taxpayer, rather than taking them before Justice Small, who may exact fees from the county for the same.

Another alleged evil he hits at is arrest of divorced men for non-support and bringing them before the justice for trial, asserting that such cases can be handled through the circuit court where the original alimony order was entered without cost to the taxpayers and that in addition non-support cannot be charged against a divorced person as the parties no longer are husband and wife. Members of the county court declined to comment on the letter today, although they received it.

After enumerating the 28 claims which he decries as the county court should not pay, Judge McMahan writes the county court as follows:

Charges Held Illegal. "It is apparently customary for police officers of this city to arrest persons charged with some offense of which the recorder's court has jurisdiction, and the police officers often file these cases with the justice of the peace, and when they are disposed of, the justice of the peace files claims in this court for fees. These cases should be tried in the police court of this city where the officers are all upon salaries, thus making no expense whatever to the taxpayers. My interpretation of the law is that these made and unnecessary expenses are not properly a charge against the county.

"I also find that in one of these cases a man of wealth and position has been arrested and the case continued awaiting a decision of the supreme court upon the questions involved in the warrant of arrest. This case has not been disposed of and there can be no claim made against the county, at this time, for fees when the aggregate fees in this case charged against the county amount to \$7.20. If later on it is found that the defendant is guilty, it is the duty, under the law, of the justice of the peace, to collect these fees from the defendant, not from the county.

Warrants Held Illegal. "I also find that search warrants are issued, based upon information and belief. I advise you that no search warrant can be legally issued in this state except upon probable cause, and that a search warrant issued on information and belief is wrongful and that you have no

GOOD EVENING WORDS and MUSIC By Stoddard King

EN ROUTE We are all of us bound for Utopia, Each in his own pet way, Some of us vote for the single tax and some are stoned by it; Our methods differ, our goal is the same, Golden and far away.

Utopia lies at the end of the road, But crowdsman disagree, For some approach it by Rhythmic Thought, And some by Sassafras Tea, And the road that looks easy and straight to you Doesn't appeal to me.

Kind friends are willing to help us out (At an slight expense) By selling us books that are guaranteed To foster our psychic sense, Or by letting us give them public jobs As fields for experiments.

I'm off for Utopia, so are you, Flying a faddish feather, On different paths, in different moods, Through different kind of weather, And it wouldn't surprise me a single bit If we both arrived together!

The headline was from the New York World, and it said: "FASCISTI HAVE BIG FETE." What our informant wanted to know was: "Did you ever see such poor spelling?"

Apple week is being celebrated here and there, and the fact that most of what has been said and written about it in the appearance will be, fortunately, rather appropriate than otherwise.

One good reason for celebrating apple week is that you almost never run across a Ben Davis apple any more. (Copyright 1925)

PRIVATE FAMILY SERVICES HELD FOR ALEXANDRA

Sandringham, Eng., Nov. 21.—(AP)—Private family services for Dowager Queen Alexandra were conducted today by her chaplain, Rev. Dr. Grant, in the bedroom of Sandringham house, where the body is lying.

The king and queen and other near relatives attended. Dr. F. J. Williams, who attended the queen in her fatal illness, told the Associated Press: "Queen Alexandra was unconscious to the last. She uttered no word. The end was the most peaceful anyone could possibly wish."

A singular coincidence occurred in connection with the death. The visitors' book of Sandringham house, in use for 35 years, was completed, the final signature on the last page being made within a few hours of the queen's passing.

In London from 8 to 9 o'clock the bell of St. Paul's tolled out honorably the tale of the passing of Great Britain's royal family. It is only when a mem-

(Continued on Page Thirteen)

If You Were a City Councilman?

NOTE—For the best letters of 100 words or less submitted during November the Capital Journal will give three prizes of \$10, \$5 and \$2.50. The letters must be on "What You Would Do If You Were a Councilman" and should be addressed to the Editor. The letters must be signed by the name and address of the sender, but the letters will be published by number only, and the judges will judge them before learning the names of the writers.

Number Thirty-eight.

CROWDS AT CORN SHOW SET RECORD

Annual Agricultural and Industrial Exhibit At Armory To Close Doors This Evening.

The corn and industrial show will close at 10 o'clock tonight, exhibitors being given permission to start tearing down their exhibits at 10 o'clock, but not a minute before that.

Yesterday crowds exceeded all records for any past corn shows and even a bigger record is expected for today if it is possible to jam any more people into the armory. Visitors surged past the exhibits by hundreds during the day and evening and complimentary expressions were heard on every hand.

Tonight the Rev. U. S. Crowder will give an address at the show on the economic development of the Pacific northwest. No music has been provided for tonight and aside from the speech, there will be no distractions to keep people from making a careful survey of all of the exhibits.

While the number of entries in the corn and similar exhibits is not quite so large this year as last the quality has been high and many expressions of delight have been heard, particularly from farmers as to the beauty of the displays.

The community exhibits are of an exceedingly high order, giving a bird's-eye view of the leading products of the various communities and showing in a manner that hundreds of pages in pamphlets could not depict just what the Marion county farmer can do with his soil under the climatic conditions accorded him. Industrial exhibits as well have been of a high order and numerous compliments have been heard in regard to them.

After a punting duel, Fishwick ran from Yale's 29-yard line to the 43-yard mark. Harvard broke up Yale's passing game and the Blue punted to Harvard's 27-yard line. Score first period: Harvard 0; Yale 0.

Second Quarter. At the opening of the second period Yale took the ball on downs on its own 45-yard line. Harvard smothered the Blue's passing attack and Yale punted to Captain Cheek on his 3-yard line, and instead of kicking Crosby went through the line for ten yards.

Harvard could not advance and kicked to Fishwick, who ran ten yards. The Blue made short gains through the line but Harvard broke up attempted passes and Allen kicked over the Crimson goal line. A pass, Cheek to Crosby, netted seven yards and Miller and Crosby made it first down. Harvard was obliged to punt and both teams resorted to the kicking game. The period ended with Yale in possession of the ball on its 20-yard line. End second period: Harvard 0; Yale 0.

Third Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Fourth Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Rediscount Rate on Coast Is Advanced. San Francisco, Cal., Nov. 21.—(AP)—The Federal reserve bank of San Francisco announced today an increase of its rediscount rate from 3 1/2 to 4 per cent. The increase becomes effective next Monday.

Football Finals. Georgetown 27; Fordham 0. Columbia 46; Alfred 0. Lafayette 14; Lehigh 0. Michigan 35; Minnesota 0. Holy Cross 48; Boston 0. Brown 28; New Hampshire 14. Army 44; Princeton 0. Indiana 9; Purdue 0.

(Continued on Page Thirteen)

HARVARD AND YALE BATTLE TO NO SCORE

Crimson and Blue Teams Fight To Stand Still In Annual Classic Before Crowd of 53,000.

Harvard Stadium, Cambridge, Mass., Nov. 21.—(A. P.)—Yale and Harvard fought a desperate scoreless battle today before a crowd of 53,000, thereby furnishing another upset in this remarkable season of reversals. The Blue was a warm favorite. The Blue was in a position to score several times but Harvard braced at the critical moment, aided by misplays.

All the historical color, glamour and drama of this classic of football classics greeted the 53,000 persons who swarmed the stadium.

Harvard kicked off to Potts, who ran the ball back to the 42-yard line. After a few short rushes Yale punted to Harvard, who fumbled and a Yale man swooped upon the ball on Harvard's 27-yard line. Short rushes made it first down.

Harvard put up a strong defense and Captain Cheek finally grabbed a Yale pass back of his own goal line. The Crimson punted to Fishwick, who fumbled but recovered the ball on the Blue's 42-yard line.

After a punting duel, Fishwick ran from Yale's 29-yard line to the 43-yard mark. Harvard broke up Yale's passing game and the Blue punted to Harvard's 27-yard line. Score first period: Harvard 0; Yale 0.

Second Quarter. At the opening of the second period Yale took the ball on downs on its own 45-yard line. Harvard smothered the Blue's passing attack and Yale punted to Captain Cheek on his 3-yard line, and instead of kicking Crosby went through the line for ten yards.

Harvard could not advance and kicked to Fishwick, who ran ten yards. The Blue made short gains through the line but Harvard broke up attempted passes and Allen kicked over the Crimson goal line. A pass, Cheek to Crosby, netted seven yards and Miller and Crosby made it first down. Harvard was obliged to punt and both teams resorted to the kicking game. The period ended with Yale in possession of the ball on its 20-yard line. End second period: Harvard 0; Yale 0.

Third Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Fourth Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Rediscount Rate on Coast Is Advanced. San Francisco, Cal., Nov. 21.—(AP)—The Federal reserve bank of San Francisco announced today an increase of its rediscount rate from 3 1/2 to 4 per cent. The increase becomes effective next Monday.

Football Finals. Georgetown 27; Fordham 0. Columbia 46; Alfred 0. Lafayette 14; Lehigh 0. Michigan 35; Minnesota 0. Holy Cross 48; Boston 0. Brown 28; New Hampshire 14. Army 44; Princeton 0. Indiana 9; Purdue 0.

(Continued on Page Thirteen)

OHIO BEATEN BY ILLINOIS SCORE 14-9

Red Grange Leads Team To Victory In Last Inter-collegiate Gridiron Game Of Career.

Ohio Stadium, Columbus, Ohio, Nov. 21.—(A. P.)—Captain "Red" Grange finished his brilliant intercollegiate gridiron career today by leading Illinois to a 14 to 9 victory over Ohio State before a record-breaking crowd of 85,500 spectators.

Though Grange during the few plays made two runs netting 13 and 12 yards each, it was Britton who carried the ball across for Illinois' first touchdown. Britton also converted.

On the first play after the kickoff Marek passed to Grim for 53 yards. Taking the kickoff after Illinois had gathered seven points, Grange returned the ball 20 yards and on a subsequent play made seven yards around end before being thrown out of bounds. The period ended Illinois 7; Ohio State 0.

Second Quarter. Receiving Cunningham's sixty yard punt at the beginning of the second period, Grange returned 5 yards. Cunningham intercepted Britton's pass on Illinois' 36 yard line but Ohio State's falling again by plunging. Grange attempted a wide run but Clark broke through and threw him for an eight yard loss.

With the ball on Illinois' 20 yard line, Grange gained five yards around end, but this was lost on penalty. Daugherty missed a pass from center, the ball bounding behind the goal, where he fell on it for a safety. Grange later got away for 25 yards. Two subsequent passes by Grange enabled Kassel to make Illinois' second touchdown. Britton again kicked goal. The score at the half was: Illinois 14; Ohio State 2.

Third Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Fourth Quarter. Getting the ball on the kickoff, Yale by short dashes carried to the Crimson's 34-yard line. Kline and Allen did the bulk of the running. Harvard again solved the Blue's forward passes and finally got possession of the ball on its own 45-yard line.

The Crimson attack was not consistent and Coady kicked to Fishwick on his 32-yard line. Yale bucked the line for two successive first downs. Allen on the next play went through for 10 yards. Stone, a Yale substitute, made a 12-yard run around right end, placing the ball on the Crimson 28-yard line. Harvard made a great stand and took the ball on downs on its 23-yard line. Yale's great march down the field going for naught. Cutler broke through the line and tackled Captain Cheek for a loss of five yards. Harvard kicked to Yale's 50-yard line. Yale had possession of the ball as the period ended. End third period: Harvard 0; Yale 0.

Rediscount Rate on Coast Is Advanced. San Francisco, Cal., Nov. 21.—(AP)—The Federal reserve bank of San Francisco announced today an increase of its rediscount rate from 3 1/2 to 4 per cent. The increase becomes effective next Monday.

Football Finals. Georgetown 27; Fordham 0. Columbia 46; Alfred 0. Lafayette 14; Lehigh 0. Michigan 35; Minnesota 0. Holy Cross 48; Boston 0. Brown 28; New Hampshire 14. Army 44; Princeton 0. Indiana 9; Purdue 0.

(Continued on Page Thirteen)

CONVICTS AT PEN RIOT ASK LIBERTY FOR SLAYERS EIGHT SENT TO BULL PEN

The "bull pen" at the state penitentiary is filled to within one of its capacity, it became known today, as a result of a noisy riot in which 15 or 20 convicts participated last Sunday night. For about an hour, according to official information the convicts turned the prison into a bidlam by yelling and pounding on the walls and doors of their cells. Three windows were broken, presumably by tobacco tins being thrown from the cells.

The tumult was quieted when eight of the leaders were rounded up by guards and chucked into the bull pen where they are still being kept in close confinement. The bull pen now has a population of 15, and its capacity is only one more.

The motive back of the demonstration by the prisoners appears to have been one of the sympathy for Frank Fallon, who was on bread and water in the dungeon, and for Tom Murray, Ellsworth Kelly, James Wilcox and W. R. Lloyd, all of whom are under sentence to death. It was the contention of the rioting convicts that the condemned men should be turned into the yard along with the other convicts during the day and not be kept constantly in their cells.

It is believed the riot started with Fallon. He is the convict to whom Nagel Sorhus, a few weeks ago, attempted to smuggle a gun from outside the walls, some of the officers believing the gun was really intended for Tom Murray, who was then on trial for the murder in

(Continued on Page Thirteen)

OFFER OF AID ON ROAD FOLLOWED BY LOSS OF COIN

Eugene, Or., Nov. 21.—Apparent kindness in response to a plea for help turned out to be a holdup on the Pacific highway north of Eugene last night, when E. A. Lewis of Klamath Falls was robbed of \$55 and forced to walk three miles to Eugene.

Lewis was returning from Portland and was repairing a leaky tube in one of his rear tires. It was at about 9:30 o'clock. A touring car drew up alongside.

"Need any help?" queried the driver. "No thanks, just a slow leak. I'll be in town in ten minutes, and have it fixed," Lewis replied.

But the driver's companion alighted, and walked around back of Lewis' machine. "Sure you don't need any help?" he asked.

"No, thanks just the same," was Lewis' reply as he beamed on his benevolent friend. "Then if you're quite sure you don't need any help, we do. Stick 'em up!"

Lewis felt the muzzle of a gun in his back and he reached for the sky. Four cars passed during the process of robbery, but none of them stopped. As each car neared, Lewis was forced to lower his hands and to raise them again as the cars were gone.

After robbing Lewis of all the money he had the bandit tore out part of the distributor on Lewis' machine and then climbed back in the car with his companion, who had not left the holdup automobile. The bandit car then sped on its way, with its lights out.

Lewis walked to town.

DIVORCES SHOW GAIN IN OREGON

Washington, Nov. 21.—(A. P.)—The department of commerce announces that, according to returns received, there were in Oregon for the calendar year 1924, 6,997 marriages performed and 3,945 divorces granted. For the calendar year 1923, 7,151 marriages and 2,894 divorces were reported.

The decrease in marriages reported for 1924 from the number reported for 1923 is 184 or 2.5 per cent. The divorces reported for 1924 show an increase of 51 or 18 per cent over the number reported for 1923.

The statistics of marriage for 1924 were furnished by the state board of health and those of divorces for the same year by the county clerks. The figures are preliminary and subject to correction.

Cocher Joe Kasperger things his Angel team will win this year. During the entire season they have been scored on only once—by the G. A. C. Hawks. Columbia is equal to the score of victory.

BROTHER OF FEUD VICTIM FIRES SHOT

Witness At Coroner's Inquest Into Murder Is Shot Down; Witnesses Flee In Panic.

Chicago, Nov. 21.—(A. P.)—Gangland brought its feud into a coroner's court today when Sam Vinci, brother of two victims of an assassin's shot and killed John Minatti, a witness.

Minatti had just testified that he did not know Mike Vinci, who was shot down last Thursday. Sam Vinci, brother of Mike, jumped to his feet and opened fire.

Another brother, Jimmy Vinci, driver of the auto in which "Boss" Enright, labor slinger and gunman, was killed a few years ago, was slain more than a year ago.

The shooting precipitated the flight of witnesses and a crowd of the curious but Vinci was seized and locked up. His victim expired in an ambulance.

The slain man was one of several suspects arrested after the shooting of Mike Vinci. He was a fruit store owner and was accused by Sam Vinci of having "made moonshine" with Mike Vinci.

RHINELANDER'S SUIT NOT TO BE DROPPED, CLAIM

White Plains, N. Y., Nov. 21.—(A. P.)—Despite persistent reports that the Rhinelander annulment suit will be settled out of court, Isaac N. Mills, counsel for Leonard Kip Rhinelander, the wealthy young plaintiff today said definitely that the case will continue.

"I am in complete control of this case," he said. "It will continue. There have been no negotiations for a settlement. A settlement will be made in court on Monday morning."

It was the introduction of two "mystery" letters written by Leonard to his negro bride, Alice Beatrice Jones, that caused yesterday's adjournment of the case until Monday to give counsel for Rhinelander an opportunity to investigate them. The letters admittedly contained sensational matter and their contents apparently had not been known to Rhinelander's attorney until Lee Parsons Davis, counsel for Alice, revealed them privately.

It is persistently reported that rather than have the letters made public young Rhinelander will withdraw the suit. Reports have been circulated that a settlement will be made ranging from \$50,000 to \$300,000, but confirmation is lacking.

Longfellows at Long Table Long for Long Lives for Long Men

Seating themselves before a long table mounted on two inch blocks, with a long banquet in its center reaching to within some two feet of the ceiling, and having on it long glasses containing long pieces of bread prepared especially for the occasion, the Salem Longfellows met at the New Salem hotel and perfected their permanent organization last night.

There were some 40 of Salem's longest men present.

Conceded to be the most important business of the evening as compared with the mere adoption of a constitution and by laws and election of officers, the honorary membership of Augustus Mutt, creation of Budd Fisher,

(Continued on Page Thirteen)