



CONSPIRACIES AT AUBURN AGAIN REVOLUT

DEFENSE RESTS IN DISBARMENT CASE OF JOSEPH

Joseph Last Witness, Admits Employment As Telegram Attorney

Option on Mine Given by Rand to Mannix Placed in Evidence

Submission of the testimony of witnesses and the concluding arguments of counsel in the disbarment proceedings against George Joseph, Portland attorney, should be completed and the case in the hands of the referees for a decision by night-fall, it was indicated by attorneys for the prosecution and defense just before noon Wednesday.

Combating testimony introduced by the defense in the George Joseph disbarment case by Elvin C. Condit to the effect that he had furnished liquor to Thomas Mannix who in turn gave it to Chief Justice McBride of the supreme court to influence him as a member of the court, the prosecution Wednesday afternoon called Homer C. Conser, former business partner of Condit, and others were called as rebuttal witnesses.

Conser said that there were two cases of liquor at their place of business in July, 1925, but that it was purchased because they understood it would be in demand during the Elks convention. At no other time during the year, he said, was any liquor kept there.

Conser said that Condit told him he did not know what became of it. When the Joseph disbarment charges against Mannix were filed with the grievance committee of the Multnomah Bar association, however, he said that Condit came to him and asked him to swear that the liquor had been given to Mannix.

Conser said that Condit's reputation for truth and veracity was bad. Other character witnesses introduced were A. A. Binkford, vice president of the Citizens' bank of Portland, and Josephine Gault, bookkeeper and cashier of the North Coast Electric company, both of whom said Condit's reputation for truth and veracity was bad. Binkford said the bank refused to loan Condit money over a period of about a year before he removed his account from the bank.

The defense rested its case after an hour of slow progress, marked chiefly by the failure of a defense witness to put in an appearance, at the morning session. Joseph himself was the last witness put on the stand by the defense attorneys and his presence in the chair terminated in less than five minutes of direct examination by John C. Veach when the prosecution carried its cross-examination no further than to elicit from Joseph his admission that he has been over a period of

\$265,025 OF FOREST FUNDS

The sum of \$265,025.99 has been received by the state treasurer from the comptroller general at Washington, D. C., which is 25 per cent of the receipts from national forests in Oregon during the fiscal year ending June 30, 1929. Receipts for 1928 were \$171,651.73.

The fund consists of all moneys received from forest reserve rentals, sales of timber and other sources. The receipts from each federal forest reserve within the state are apportioned by the secretary of state to the several counties in the proportion which the area of the particular forest reserve within the county bears to the total forest reserve area in the state.

The moneys so received by each county are divided in the proportion of 75 per cent to the county road fund for bond retirement and sinking fund purposes, and 25 per cent to the county school fund for the payment of the bonded and warrant indebtedness of school districts incurred prior to January 1, 1925.

GREAT NORTHERN EARNINGS LARGER

Washington (AP)—Operating revenues of the Great Northern railway will show an increase of \$1,940,000 for the year under a ruling Wednesday by the interstate commerce commission which permitted the road to charge off an abandoned tunnel in the Cascades, valued at about \$10,000,000 to profit and loss instead of operating cost.

Good Evening!

Sips for Supper By DON UPJOHN

Doggone if we didn't get lonesome all over last night.

We went to the old Grand Opera house to hear the Elks tune in on their first musical comedy for 10 years. It was the old Grand was there, maybe a few more than the Metropolitan opera house of the valley.

It took us back to the days of Nat Goodwin, DeWolf Hopper, Lew Dockstader, Jeff DeAngellis and the rest of the boys. As we looked around we expected to see Doc Tommy Smith, Harry Albert, Casey Olinger, Charley McNary, Skipper Durbin and the others who never missed a night in the old times. In those days we knew everybody there, no matter how packed the house.

But last night we looked around and we knew hardly anyone. We saw the gray head of Gus Huckle, the bald head of Rufe Harris, the round head of Si Eakin, but looked in vain for the square head of Walt Thompson, J. C. Perry was there, maybe a few more hidden where we couldn't see them. But the rest of them was strangers. The old town has grown up.

Down in front Oscar Steelhammer was trying to hit Mary Schultz in the back of the neck every time he extended his trombone. Clarence Wenger was tapping the ivories. But Tex Stoddenmeyer was absent. So was Tommy Holman. Those are the whistles who used to tune up when the boys who used to tune up when the whistles all over town and "I'm afraid to go home in the dark," was the favorite singing melody.

Folks, just the same, it's a hot dog show the Elks are putting on over at the Grand. Plenty of pretty girls, a lot of catchy tunes well sung, some good comedy, and you don't have to stay up all night to hear it like you do with some home-town productions.

The receipts go to the Christmas cheer fund. It's on again tonight and you couldn't spend an evening, and six bits better.

And it will do the old timers good to go. To sit and see the ghosts of other Elks shows of the past. To dream of the days when Cushman Foot Bell, Harry Wenderoth and other old timers were chorus men. And Little Smith was the prima donna. Yes, they were good old days.

So don't forget there's another Christmas cheer show tonight and take it in.

3 REPORTERS OUT OF JAIL

Washington (AP)—Three reporters who preferred jail to naming the source of confidential information contained in certain news stories they wrote, were at liberty here Tuesday after serving 40 days of a 45 day sentence for contempt of court.

The three, Linton Burkett, Gorman M. Hendricks and Jack Nevin Jr., of the Washington Times, were released shortly after midnight. They had had five days clipped from their sentence for good behavior, on recommendation of Lieut. Colonel Peaker, superintendent of the District of Columbia jail. They were adjudged in contempt by Justice Peyton Gordon when they refused to tell a grand jury the sources of material used in an expose of Washington liquor conditions, published by the Times.

\$25,000 Paid For Lot On High Street Next To City Hall

Edward G. Schunke and Martha Schunke his wife, have just closed a deal purchasing from J. W. Parker and Exie Parker property on High street immediately adjoining the city hall on the south. The consideration is understood to be \$25,000. The property is 165 feet deep and has a frontage of 56 feet and eight inches on High street, a width sufficient for two good sized stores. The deal was closed through the Leo N. Childs Realty company.

While Mr. Schunke is manager and one of the stockholders in the Roth Grocery company and it is known that the Roth company's property on Liberty street is under lease to the P. W. Grant company on a 20 year basis starting with January 1, 1931 and that the Roth company has been seeking a new location, Mr. Schunke states positively that the present purchase is an entirely individual deal. "I cannot say what the Roth company will do, in fact it has not been decided what the Roth company will do, whether it will lease or build," stated Mr. Schunke. "The present deal is not made on my own individual motion and the Roth company is not involved in it. I made the purchase as an investment in a real estate piece of downtown real estate." It has been known for some time that the Roth company has been avoiding the question of sites in various places both on Liberty and

REBEL DRIVE UPON CANTON MEETS DEFEAT

Initial Attempt to Capture City Repulsed With Heavy Losses

Three Days Battle Ends In Defeat of Ironsides And Capture of 5000

Canton (AP)—The rebels' initial attempt to capture Canton appeared Wednesday to have been temporarily checked by national government troops after a heavy engagement since Monday night, with many thousands of casualties on each side.

The hospitals are full of wounded men and others are arriving. For a time the issue seemed doubtful. The "Ironsides division" broke through the Chang Kak-Wel north of Canton and at the height of the battle were within two hours' march of the city. Artillery fire was plainly heard in Canton.

The nationalists rallied, however, and thrust rebels back to the starting point of their drive. (Concluded on page 16, column 1)

SENATE FARM BLOC ATTACKED IN BOTH HOUSES

Washington (AP)—The senate farm bloc was attacked in both houses of congress Wednesday.

Representative Ramseyer, republican, Iowa, himself a farm representative, criticized the senate's action in repealing the president's intention to change tariff rates under the flexible provision and Senator Allen, republican, Kansas, another westerner, arose to defend Minnesota editors who urged congress to pass a tariff bill quickly without considering industrial rates.

The senate turned for a moment to the wide importance of the supreme court's O'Fallon railroad decision of last spring, and Senator Howell, republican, Nebraska, introduced a joint resolution which would in effect reverse the supreme court's effecting the intention of congress that the interstate commerce commission's basis of rate-making should be continued.

The supreme court held that the commission violated the Esch-Cummings transportation act by failing to take into consideration the reproduction "new" factor of violation. Howell said this places the responsibility squarely on congress to express its intent, and warned that aggregate rate valuations can be increased 43 per cent and rates will be "as high as the traffic will bear," under the present situation.

TWO STREET CARS DAMAGED BY BOMB

New Orleans, La. (AP)—Two street cars were bombed here Tuesday night, resulting in injury to one person and approximately \$1,500 damages. The cars were, partially wrecked when they passed over an explosive, which had been placed under the tracks.

HOOVER'S FRIEND SUGAR LOBBYIST

Washington (AP)—H. C. Lakin, president of the Cuba company, sugar importers, testified Wednesday before the senate lobby committee that Edwin P. Shattuck would not accept employment with his concern until he had consulted with Mr. Hoover, then president-elect, at Miami, Florida. Lakin said he wished to employ Shattuck to work for lower sugar duties and that the latter accepted after conferring with the then president-elect. He added that he understood that the president "said it was all right."

FLOOD WATERS MOUNTING IN GREAT BRITAIN

Fresh Gales Add to Havoc Caused by Terrific Storm Over Europe

Death Toll 184—Historic Points Submerged—Steamers in Distress

London (AP)—Flood waters were mounting in England Wednesday as fresh gales swept across the British Isles, adding to the possibility of further havoc by the terrific storm which already has taken 184 lives along the British and continental coasts.

There were heavy floods in Portugal, swollen rivers in France and flood conditions in many parts of England, particularly along the Thames river which last year overflowed its banks with great damage. The stream reached nearly three miles in breadth in places.

Several historic points near London were being threatened. The late art gallery, with its rich collection was being guarded carefully as the Thames mounted. The lower grounds of Windsor castle were under water while the grounds of historic Eton college across the river also were flooded. The famous Meadow in Runnymede near Egham, where Magna Charta was signed, is now a big inland lake, while plains and boats were navigating the main streets of various riverside towns.

Streets were driven from lungslow homes in some instances. Oxford was nearly surrounded by water. Streets in some places were one to two feet deep in flood water. Reports continued to arrive of effect of the gales at sea. The steamer "St. Louis" ran ashore off Ushant (Concluded on page 11, column 7)

NEW QUESTIONS TO BE ASKED BY CENSUS TAKERS

Washington (AP)—Five new questions are included in the questionnaire prepared for enumerating the population in the 1930 census.

For the first time the enumerators will ask the value of the home, if owner, or the monthly rental, if rented; whether the home owns a radio set; the age at the time of the first marriage; whether actually at work, and whether a veteran of the armed forces of the United States and making public war.

In drafting this questionnaire Wednesday the commerce department said that the question of home ownership would make possible a classification of families according to economic status or buying power. The counting of radio sets is expected to give a direct answer to the question as to the size of the potential radio audience. Enumerators will pay special attention to the classification of full-time workers according to occupations and industry and a special schedule for unemployment will contain a number of questions designed to separate those not working into several classes.

COALITION IN SENATE DIVIDES ON WOOL TARIFF

Washington (AP)—The senate Wednesday continued with the wool tariff, over which the republican independent-democratic coalition has divided in voting so far, with Senator Blaine of Wisconsin, a member of the independent group, asserting that the so-called farm group will meet its Waterloo if it follows a leadership "that carries us along the way with Mr. Grundy and his associates."

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Relief Plane Winging Way Towards Nome.



True to his word, Lee Eyerly, superintendent of the municipal airport, had Capital Journal Staff Photo plane ready to take-off for the far north Wednesday morning to bring Santa Claus back to Salem Saturday. The large monoplane as it appeared at the airport, with an extra 30 gallon barrel of gasoline and other supplies, was electrically heated to combat the low temperatures of the north. The plane, Baron Strutsky arrived late Tuesday with his special flying suit. If weather permits, the rescue plane will land at the airport Saturday morning, otherwise a safe landing will be made away from here Tuesday.

MISSED BY SANTA 4 YEARS WANTS CHEAP FOOTBALL

Journal Explorers Shown Santa's Great Toy Shop By Gnomes

By CAPT. KLEINSCHMIDT With Capital Journal Expedition en Route to Salem—(Just North of Nome)—Our reception by Santa Claus at his great ice palace was a wonderful event. After shaking hands with Santa we were escorted up the

Castle steps past a lane of gnomes who stood at attention like soldiers. The great portal of bronze and gold inlaid doors, swung open by invisible hands and we looked down a corridor miles in length with a ceiling as high as the greatest cathedral and supported by wonderfully carved columns.

T walls were glistening like snow and inlaid with pictures in mosaics and gold. There were scenes of the birth of Christ and the shepherds and the Wise Men. Wherever we gazed were Christmas symbols and Christmas stories.

Santa led us to one part of his castle, his own room, where he lives, reads and eats and sleeps. Mrs. K. was eager to see Santa's (Concluded on page 11, column 7)

3.21 INCHES OF RAIN IN THREE DAYS OF STORM

SALEM RAINFALL Precipitation totalling .62 of an inch fell Tuesday and Wednesday night in Salem, making the total rainfall for the past three days 3.21 inches. Rain continued all day Wednesday.

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KEEPER KILLED TROOPS RESCUE SEIZED WARDEN

1580 Prisoners at Auburn Stagers Revolt With Smuggled Guns

Troops Use Tear Bombs. Governor Refuses To Compromise

Auburn, N. Y. (AP)—A heavily armed force of police, prison guards and civilians Wednesday night gained possession of the Auburn state prison yards; and the majority of buildings in the unit, killing two of the rioting convicts in the progress of occupying the positions, which brought the total number of dead rioters to five.

Auburn, N. Y. (AP)—For the second time within six months a desperate group of long term convicts in the Auburn state prison mutinied Wednesday and spread death and terror throughout the prison, shooting down the principal keeper and seizing the warden and seven guards whom they held as hostages for their safe conduct to freedom.

Within four hours, warden Edgar B. Jennings and all seven guards had been snatched to safety by state troopers operating behind a barrage of tear gas, and three convicts, including the spokesman for the mutineers, had been slain, while the remaining members of the little group of desperadoes remained barricaded in the back hall of the prison, surrounded by hundreds of state troopers, national guardsmen and city police.

The known dead were Principal Keeper George A. Durnford, slain at the outbreak of the mutiny, and Henry Sullivan, convicted in Erie (Concluded on page 10, column 3)

PRISON GUARD TELLS STORY OF AUBURN MUTINY

Auburn, N. Y. (AP)—The first detailed account of the Auburn prison riot Wednesday was given by one of the guards held as hostage by the convicts and later rescued by state troopers. He declined to permit the use of his name.

"I was in the lower entry unaccompanied by any other guard when I was seized by some of the inmates who apparently had been seized somewhere in the long extent of the hall of the front wing.

"They made us all prisoners and we were all handcuffed. They told us that we would be shot unless we permitted them to depart from the prison unharmed.

"Principal Keeper Durnford had been seized in the same way, but resisted and they shot him. "Later Father to act as the go-between was given the same ultimatum. The mutineers seemed to be well armed with pistols and had a supply of handkerchiefs.

"I estimated the number of mutineers at about 15. As far as I could tell the rest of the prisoners were perfectly quiet and orderly in the yard. No attempt was made by the mutineers to communicate with them or to induce them to join in the revolt.

Sensations Of Joseph Hearing, If Any, Yet To Come In Rebuttal

By HARRY N. CLAUDE The sensations HARRY N. CLAUDE during the disbarment proceeding, now being heard before Circuit Judges Skipworth, Norton and Wilson as referees appointed by the supreme court, have so far not materialized, and there are no indications that they will materialize. Under the ruling of the referees that "we will hear this whole matter regardless of whom it hits, and let the chips fall where they may," practically all restrictions on the admissibility of evidence has been swept aside. The referees have taken the position that they want every bit of testimony in any manner pertinent to the case submitted and that they will then, themselves, "lift the

20 INCHES SNOW COVERS CASCADES

Bend (AP)—Highway department crews reported an additional snowfall of one foot on the summit at McKenzie pass, bringing the total depth of snow to 20 inches on the level Wednesday morning. A blizzard raged over the Cascade range during the night, the rain of Tuesday turning to snow during the afternoon.

ETNA ACTIVE

Calania, Sicily (AP)—Mount Etna was showing considerable activity Wednesday. The mouth to the northeast emitted smoke and cinders while the central crater gave forth sulfurous fumes.