

The Weather

Maximum yesterday 50
Minimum today 43
Precipitation 55

MEDFORD MAIL TRIBUNE

Predictions

Rain.

Daily—Sixteenth Year.
Weekly—Fifty-First Year.

MEDFORD, OREGON, WEDNESDAY, NOVEMBER 30, 1921

NO. 215

FILM FOLKS TELL HEALTH OF VIRGINIA

"Normal in Every Way," Say Final Witnesses for State in Arbuuckle Case—Claims of Defense Rebutted—Discredit Mrs. Neighbors' Testimony.

SAN FRANCISCO, Nov. 30.—Jack White, motion picture director of Los Angeles was the first witness today in the manslaughter trial of Roscoe C. (Fatty) Arbuuckle, growing out of the death of Miss Virginia Rappe, motion picture actress. White said he directed certain pictures in which Miss Rappe appeared.

She appeared "normal in every way," he said.

White was one of a number of witnesses called in rebuttal by the prosecution to discredit, if possible, defense evidence that the bladder rupture which caused Miss Rappe's death was the result of a long standing chronic condition. The prosecution alleges that the injury was caused by eternal force applied by Arbuuckle.

George Meehan, motion picture camera man of Los Angeles said that he photographed Miss Rappe in motion pictures and that she appeared to be healthy.

Mrs. Minnie Buck, practical nurse, of Los Angeles, said she was companion to Miss Rappe for a time and that she did not appear unwell.

For the fourth time during the trial Mrs. Josephine Hardebeck, housekeeper for Miss Rappe, was called as a witness. She said she did not know of Miss Rappe having used intoxicating liquor before leaving Chicago in 1918 for California.

Mrs. Mary Poulin, hostess of the resort in Los Angeles county, where Miss Rappe is said to have stopped for a time, was recalled after having given testimony a few days ago which resulted in the arrest by the prosecution of Miss Minnie Neighbors of Los Angeles on a perjury charge. Mrs. Neighbors had testified that she met Miss Rappe at the resort. Mrs. Poulin had testified that there was no record of Miss Rappe having visited the resort and she never remembered seeing the actress there.

Mrs. Poulin testified today that she attended to the registration of the guests. She repeated her previous testimony that she had never seen Miss Rappe at the resort.

"Motion picture actresses attract a good deal of attention and on that account I would have known if Miss Rappe visited the resort," Mrs. Poulin said.

Dr. Rufus L. Rigdon, San Francisco physician was the last witness called before the noon recess. He was asked by the defense a hypothetical question of several hundred words intended to have him determine the cause of the internal injury which resulted in Miss Rappe's death.

There seemed to be but little general interest in the trial today. The court room was filled but there were no crowds in the adjoining corridors.

SUPREME RULER OF OWLS IS GUILTY

INDIANAPOLIS, Nov. 30.—Extension of South Bend, Ind., supreme president of the Order of Owls, a fraternal organization, who was found guilty in United States district court last week of violating the Mann act today was fined \$5000 by Judge A. B. Anderson and sentenced to Leavenworth prison for five years. It was the maximum sentence for the offense.

DR. BRUMFIELD TO FILE APPEAL JAN. 2

ROSEBURG, Nov. 30.—The appeal of Dr. R. M. Brumfield, convicted of the murder of Dennis H. Russell, will be filed in the supreme court before January 7. Brumfield's execution has been set for January 13, according to his attorney. The transcript of the case is expected to be received within the next day or so.

They Didn't Make It; 12 H. S. Students Die In Crossing Tragedy

RED BLUFF, Cal., Nov. 30.—Twelve high school students were killed south of here today at the Proberta crossing by one collision of the school bus in which they were riding with Southern Pacific train No. 15.

The automobile contained sixteen children. The four injured are not expected to live. The train plowed into the bus in a dense fog, according to stories of the train crew and the driver of the bus who himself, was seriously injured. The train hurtled on for 200 yards carrying bodies and parts of bodies on the engine pilot and stranding other bodies along the right of way.

One man declared the automobile after being struck, was thrown against a post and dashed back against the train.

LEGAL STEPS TO HALT 2 HANGINGS SET FOR FRIDAY

Rathie and Kirby Sentenced to Die for Complicity in Murder of Til Taylor Will Be Carried to U. S. Supreme Court—Claim Legislature Erred.

SALEM, Ore., Nov. 30.—John D. Lane, attorney for Elvie D. Kirby, whose petition for a writ of habeas corpus to stay the execution of Kirby here Friday morning was denied by Circuit Judge Bingham this morning this afternoon filed an appeal and a petition for a writ of superceases to stay the execution.

Governor Olcott announced this afternoon he would grant a reprieve to Rathie if a stay of execution was granted.

SALEM, Ore., Nov. 30.—Elvie D. Kirby and John Rathie, convicted of complicity in the murder of Sheriff Til Taylor, of Umatilla county will probably not have here Friday morning as scheduled, Judge George Bingham of the Marion county circuit court this morning denied a writ of habeas corpus filed by John D. Lane, attorney for Kirby, and thereby opened the way for an appeal to the supreme court, which will be filed today.

Attorneys for Kirby argued, in asking for a writ of habeas corpus, that the Oregon legislature at its special session in 1920 exceeded its constitutional powers in referring to the people the resolution providing for the restoration of capital punishment. The case will be carried to the United States supreme court if necessary, the attorneys declare.

Rathie and Kirby were sentenced to hang for the murder of Sheriff Til Taylor of Umatilla county, during a jailbreak at Pendleton, Oregon. Neil Hart, an Indian was hanged for the crime, and admitted firing the fatal shot. Two others implicated in the jailbreak were sentenced to life imprisonment. Feeling ran high against the men, and threats of lynching were made. Sheriff Taylor was highly popular, and widely known, and public opinion was strong.

Rathie, an ex-service man, who served in France, was claimed to be the ringleader, and they were convicted under that phase of the law, that provides the co-conspirators equally guilty with the principal in the crime. Kirby's former bad record also was exhibited.

The men have been in the death house at the state prison for several months awaiting the noose, and their case aroused considerable sympathy, and the war mothers have been active in their behalf. Governor Olcott recently denied a plea for a commutation to life imprisonment. Rathie's parents, an aged couple living at Wapato, Wash., mortgaged their home to save their boy from the noose.

The case also attracted considerable attention from a humanitarian standpoint, on the grounds that hanging three men for the death of one was a severe strain on the state's demand for justice, and the Biblical injunction of "an eye for an eye, and a tooth for a tooth."

Stocks Improve. NEW YORK, Nov. 30.—Investment and speculative conditions on the stock exchange became more clearly defined today. Bonds continued to strengthen, while the general share list was under continuous pressure. Sales of stocks approximated \$60,000,000 here.

NOTED SOLDIER OF FRANCE IN CITY FRIDAY 8:50 A. M.

Marshal Foch, Guiding Genius of World War, to Stop Five Minutes—American Legion Posts of Valley to Greet—C. of C. Arranges Welcome.

The people of Medford and the Rogue River valley will have the opportunity of seeing and greeting Marshal Foch, the great world war hero next Friday morning, as his special train will stop here for a few minutes enroute to San Francisco from Portland. The time of the arrival of the train will be 8:50, and no doubt there will be a tremendous assemblage at the depot from all parts of the county.

News that the famous soldier would stop here is contained in the following telegram dated this noon and received by F. P. Farrell, commander of the Medford post, from Lane Goodell, commander of the Oregon American Legion:

"Roberts consents to five minutes stop in your city Friday morning about 8:50. Make arrangements."

The Roberts referred to in the telegram is probably the official in charge of the special train.

Ben Sheldon, president of the local chamber of commerce, also this noon received a telegram from President Van Duser of the Portland chamber of commerce, confirming the information that the Foch special train would stop here Friday morning.

The local American Legion post officers and the chamber of commerce will start to work at once arranging a demonstration and reception. The official list of personages in Marshal Foch's party, is as follows: Marshal Foch, General Desticker, Comte Charles DeChamburn, aide de camp; Major DeMerry, Captain Rene H'opital, Lieutenant Paul DeSoubeyran, Dr. Andre, Colonel Frank Parker, U. S. A., honorary American aide; Myles McCallih, secret service; three French orderlies, Hanford MacNider, A. T. Roberts, Franklin D'Olier, Raymond O'Brackett, Colonel Francis E. Drake, Colonel James A. Drain, D. John Markey, Van R. C. King, Leo A. Stafford, C. E. McCullough, J. M. Lumsborough, two stenographers and one messenger.

PORTLAND, Ore., Nov. 30.—Marshal Foch and party will be greeted here tomorrow morning at their special train by Governor Ben W. Olcott, Mayor George L. Baker and representatives of the American Legion, according to announced plans. The 59th regimental band will attend the welcoming officials and a battalion of infantry from Vancouver barracks will act as escort in a parade. A motor trip on the Columbia river highway, banquet at 6:30 and a mass meeting at the armory in the evening are events planned for the day.

MRS. FRANK GOULD WANTS DIVORCE

NEW YORK, Nov. 30.—Mrs. Edith Kelly Gould today won the first step in the legal proceedings against Frank J. Gould in this country as a result of the divorce he obtained against her in France about a year ago.

Supreme Court Justice Guy signed an order granting her \$5,000 counsel fees. Justice Guy said that the question was of so novel a character that he would grant a reasonable allowance for purposes of appeal.

JACKSONVILLE MAN SCALDED, DYING

GRANTS PASS, Ore., Nov. 30.—Albert Borde of Jacksonville is lying at the point of death as a result of falling into a vat of boiling water while helping a neighbor scald hogs.

A telephone message this afternoon to Coroner Perl said Borde died about 1:30 p. m.

Washington Autos 193,000. OLYMPIA, Wash., Nov. 30.—Approximately 193,000 motor vehicle licenses were issued in 1921, the books of the department of licenses revealed today at the closing of the year's business. After today all applicants for licenses will receive 1922 plates for their cars.

Princess Mary to Wed



Princess Mary, only daughter of King George and Queen Mary of England, to Viscount Lascelles has been officially announced in London. Viscount Lascelles is the oldest son of the Earl of Harewood. He is thirty-nine years old and won distinction in the World War, being wounded three times and winning the British Distinguished Service Order and the French Croix de Guerre. Princess Mary was twenty-four years old last April. It was learned from a close friend of the couple that the wedding would take place some time between Christmas and the beginning of the Lenten season.

HARDING UNDER FIRE DRY CHIEF, IS 'INDIFFERENT'

Claim Authority Overstepped Hinshaw Thinks President Not Active Enough for Enforcement of Dry Law—Prohibition Party to Be Continued Until 18th.

CHICAGO, Nov. 30.—Continuance of the prohibition party as a national political party was recommended by the national executive committee today in a resolution presented to the national committee.

The resolution declared that the party would be "recreated to the trust committed to it by the founders of the prohibition party if it now failed to continue its activities."

The resolution further declared it to be the duty of the party to carry on its work "until there is elected to power a party in state and nation that is committed by platform declaration to the continuance and enforcement of the eighteenth amendment and makes such declaration an established fact." State, county and local committees were urged to continue their activities.

Virgil C. Hinshaw, national chairman of the party, criticized President Harding for what he said was indifference to enforcement of the prohibition law.

Although Dr. Elisha Kemp Kane, of Philadelphia, declared prohibition was "only in the shackling stage—we have yet to lay the egg." Plans will be taken up tomorrow to determine whether it would be advisable to include other fields of endeavor in the party program. Several speakers emphasized necessity for stricter observance of the prohibition law.

END OF WEEK ERE BEND LINE OPEN. BEND, Ore., Nov. 30.—Railroad officials here have virtually abandoned hope of clearing snow and ice from the rails in the Deschutes valley in time to resume the regular schedule before next week.

ALLIES MAY ACT TO SAVE PORTUGAL FROM RED WAVE

Bolshevism Spreading Through Large Towns and Powers May Intervene—Attempt to Torpedo Spanish Boats—Members of Cabinet Assassinated—Posts Vacant.

LONDON, Nov. 30.—(By Associated Press.) Bolshevism is spreading through the large towns of Portugal, the Times declares this morning and there have been many outrages, especially in the province of Alentejo.

The recent bombing of the American consulate in Lisbon was an incident in this movement, it is said, and most of the foreign diplomats there have received letters threatening their lives.

As a result the powers are considering intervention in Portugal and the assumption of a mandate there to quell the ugly wave of bolshevism, according to the Times. France, Italy and Spain favor such a move.

When a number of foreign warships moored in the Tague river at Lisbon recently, the sailors on a Portuguese gunboat are said to have been restrained with difficulty from attempting to torpedo the Spanish vessels.

Dispatches to the Times assert that the condition of the country is such that it has been very difficult to find men willing to accept posts in the cabinet.

Dispatches from Portugal to the Associated Press have reported two distinct revolutionary movements in the past six weeks. In the first, several members of the Portuguese cabinet, including Premier Granjo, were assassinated following their resignations. A few days later it was reported that royalists were plotting for the re-establishment of a monarchy. On November 21 dispatches from the Portuguese frontier of Spain reported another revolution brewing. Carvalho Mesquita heading the movement. The troops in Lisbon were said to have been confined to their barracks in preparation for eventualities. No advices have been received since that time as to conditions in Portugal.

U. S. Wets and Dries Use Austria As a Propoganda Center

WASHINGTON, Nov. 30.—Decision to open an American prohibition office in Vienna was announced here today by the prohibition foundation. Its aim will largely be combatting of wet propaganda about the prohibition situation in the United States which its leaders declare is mostly misleading.

"The Vienna office will also serve as a distributing point for literature for total abstinence and as a propaganda center for prohibition legislation," said G. D. Harger, of Pittsburg, secretary of the foundation today.

IRELAND FACES CIVIL WAR AS PEACE FALTERS

Resumption of Armed Hostilities Loom—Sinn Fein Refuses to Take Allegiance—Rush for Guns When Breaks Come—Military to Rule Erin

LONDON, Nov. 30.—(By the Associated Press.) Government circles today expressed belief that the Irish conference would break down almost immediately as a result of the difficulties which have arisen and that the resumption of armed hostilities could not be postponed.

The alternative settlement plan submitted by the government to the Sinn Fein representatives last evening included the necessity for a definite undertaking by the Sinn Fein to take the oath of allegiance to the crown.

Thus it appears, according to government officials, that the breach in negotiations, if it comes now, as feared, will take place over the allegiance issue.

There has been hope of prolonging the truce and adjourning the negotiations for an additional period of two months, but this hope now has receded.

The Sinn Fein has many objections to the government's new plan, but even if it agreed to discuss this plan it would not give its assent to the oath of allegiance proviso, it is stated. The moment a breach occurs, it is believed in these quarters that there would be imminent danger of the Sinn Fein, on the other side, and the police auxiliaries, on the other, trying to get to their guns first.

The military it is indicated, would be put in charge of affairs in Ireland and interference by civilian officials with its action would not be permitted.

A meeting of the British representatives in the Irish conference was held today. It was presided over by Prime Minister Lloyd George.

BOOTLEGGERS WITH 5 SHOTS IN HIM O. K.

SPOKANE, Nov. 30.—Five bullets were removed in a hospital here today from the body of Bob Cross, a resident of Opportunity, east of here, following a shooting affair at Harrington, Wash., in which Cross was declared to have drawn a gun on a posse of citizens that had arrested him on bootlegging charges. Another bullet was left in Cross' neck. Attending physicians said he was in no immediate danger.

MEX. REVOLT AIDES DIE AT CULICAN

NOALES, ATE, Nov. 30.—Colonel Eamavizen, Francisco Lopez Romanolis and Daniel Valdez arrested in Nogales, Sonora, last week on a charge of being ring leaders in a proposed new revolt in Mexico, were executed at Culicán Sunday, according to word just received here. A military court imposed the death sentence.

Albany Murder Case. ALBANY, Ore., Nov. 30.—Presentation of first degree murder charges against Peter Beebe, accused of killing John Painter and his son, William Painter, is in progress before the Linn county grand jury. The jury will probably be in session three or four days.

JAPAN AIM LARGE NAVY PIVOT ISSUE

Delegates Refuse to State What They Want—Tokugawa Clears Situation—Is Willing to Take Troops Out of China As Soon As Possible—Experts Meet.

WASHINGTON, Nov. 30.—(By the Associated Press.) The issue raised in Japan's desire for an increase in relative naval strength allotted her under the American limitation proposal still held attention today as a pivotal question in the arms conference proceedings.

In some quarters prospects for an early agreement on the question were regarded as having been somewhat improved by the statement of Prince Tokugawa of the Japanese delegation that the announcement Monday of Vice Admiral Kato of the Japanese advisory staff that Japan wanted a 70 instead of a 60 per cent naval ratio, was merely an expression of "personal opinion," not sponsored by the delegation, of which he is not a member. As Prince Tokugawa declined to reveal, however, the actual view of the Japanese delegates as to what percentage of fleet strength Japan would insist upon, no definite deduction was possible from his statement.

The reiterated firmness of the American delegates at the same time against acceptance of any increase of the naval ratio for Japan was understood to have had the effect of definitely ending consideration of the question in the naval sub-committee of the powers and it was said authoritatively that the committee would not even touch upon it at its postponed meeting today.

It was expected that the ultimate agreement would be left to informal meetings between the various delegates.

The Far Eastern committee of the conference was prepared to resume today its discussion of China's request for withdrawal of foreign troops from her soil, general adherence in principle to this course having been given yesterday. An announcement to newspapermen following yesterday's session by Prince Tokugawa that Japan, regarded as chiefly concerned in the question, "intends to abolish" the system under which her troops are in China "as soon as possible" was taken to mean such withdrawal was contingent on the working out of a satisfactory program by the conference regarding the program of China.

There also was no indication that the full committee of naval experts, including the officers of the French and Italian navies had been called. It is generally expected that when the experts of the three powers reach a point where they cannot proceed further until the conference has decided the fundamental question of fleet ratio as between the United States and Japan, that the full naval expert committee will be assembled and will then make its report to the conference naval committee.

Optimism was apparent among members of the British delegation, a spokesman for which prior to the adjournment of the sub-committee ascertaining that he believed some announcement along the line of naval armament might be expected next week, probably before the conference in plenary session Wednesday or Thursday.

WASHINGTON, Nov. 30.—(By Associated Press.) China "cannot abandon" her attitude expressed at Versailles concerning unconditional return of Shantung by Japan, but is willing to discuss "any reasonable means of settlement" at the meeting between Chinese and Japanese delegates which has been arranged through the good offices of Secretary Hughes and Mr. Balfour. Dr. Wang, a Chinese delegate, said late today.

Bringing the two delegates together in an effort to settle the long controversy over Shantung does not mean that the dispute will be taken out of the conference, Dr. Wang said.

The prospects were considered in American quarters as good indication that the Japanese and Chinese representatives would be able to settle the Shantung dispute outside of the conference.

The Far Eastern committee did not conclude discussion today of China's troops from China and the matter (Continued on page eight.)