

The Weather

Prediction: Generally cloudy
Maximum yesterday—60.5
Minimum today—32.5

MEDFORD MAIL TRIBUNE

Weather Year Ago
Maximum—59
Minimum—33

Daily—Seventeenth Year.
Weekly—Fifty-Second Year.

MEDFORD, OREGON, FRIDAY, MARCH 2, 1923

NO. 291

STATE ASKS
CONTIN'ANCE
BRAY TRAIL

Serious Illness of J. F. Hale
Brings Sudden Halt to Pro-
ceedings at Jacksonville—
Victim of Night Riders Suf-
fers Hemorrhage of Stom-
ach—Condition Is Declared
Critical.

At the opening of court this afternoon J. Alexander Norris, one of the defendants in the night riding cases came before the court and said he had been threatened by Henry Johnson and Paul York, two of the men reported to have been victims of the night riding party of which Norris is alleged to have been a member. Johnson denied this but admitted that he sometimes carried a gun particularly at night. Judge Thomas told Johnson to get his gun and deliver it to the court, and also asked the sheriff to give him the gun permits.

William Brown then appeared, and explained the report that he had been advised to leave town. He said Attorney Newton Borden of Medford had told him there was a warrant for his arrest. Borden then arose, denied this, said Brown had been his client and was astounded at his state-

At ten o'clock today the night rider case was adjourned until two o'clock this afternoon to allow the state attorneys to prepare a motion asking for the continuance of the case, owing to the reported critical illness of J. F. Hale, chief witness for the state, and central figure in the kidnapping and hanging episode near Table Rock, last March. A short chamber session was held at the opening of court, attended by the bench and counsel for both sides.

The condition of Hale this afternoon was reported as serious. He is suffering from hemorrhage of the stomach, which suddenly overcame him Thursday afternoon. Hale was examined by Dr. E. B. Pickel for the state, and Dr. R. W. Stearns was called in for the defense.

By virtue of stipulation agreed upon by both sides, Inez Willis of Persist, teacher, and Mrs. Minnie Guy of Gold Hill, housewife, were selected as alternates, to hear the evidence but to take no part in the deliberations of the jury.

At the opening of the court this morning, Judge C. M. Thomas, from the bench, admonished newspapers and reporters, regarding the publication of articles bearing on the case, and asked questions as to the source of their information, for the news article dealing with the alleged "approach" Wednesday night on William Brown, laborer, a witness in one of the night riding cases, in which it was claimed he had been advised to leave town and was informed S. B. Sandifer, county prohibition enforcement officer, had a warrant for his arrest.

It developed that the newspaper's source of information was Sheriff Terrill, Deputy Sheriff Forncrook, and Tom Word of Portland, federal investigator. Terrill was questioned by the court, and Word made a statement in which he stated that a deposition had been secured Thursday night from Brown. Deputy Forncrook has been called as a witness in a trial at Eugene, Oregon.

The government official was requested to turn the deposition over to District Attorney Rawles Moore for

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Claim Two Sons of
Spanish Nobleman
Have "X-Ray" Eyes

LONDON, March 2.—Two sons of a Spanish nobleman are gifted with X-ray eyes, according to an article in the Madrid Imparcial, quoted by the Daily Mail. Tests have been shown that the youths' abnormal vision enables them to read through silver, brass or iron, but they cannot see through porcelain or paper.

FRENCH ARMY
SEIZES MONEY
FOR CITY FINES

ESSEN, March 2.—(By the Associated Press.)—The town of Bochum has been fined 35,000,000 marks because two news dealers were beaten by Germans for selling French newspapers.

The town of Kettwig near Essen, where military telephone wires were cut has been fined 1,000,000 marks. These fines are in accordance with an order by General DeGoutte, French commander, that cities and towns throughout the Ruhr valley shall be held responsible for sabotage or other acts of disorder designed to hinder the French and Belgian armies of occupation.

German officials of such towns will be liable to arrest and trial by court martial in serious cases.

The Bochum fine was collected quickly. French troops swooped down upon the rathaus, took the amount and left.

In Dusseldorf, Herr Wenzel, assistant director of posts and telegraphs, has been sentenced to six months' imprisonment. He is charged with being implicated in sabotage on the military telephone apparatus. It is reported that Lord Mayor Haverstern of Oberhausen and Vice Lord Mayor Schaeffer of Essen, who recently were given prison sentences of ten years, have been jailed successively at Dusseldorf and Mayence.

BERLIN, March 2.—The damage done in the recent plunder of the Bochum Chamber of Commerce amounted to more than one billion marks, the Tageblatt estimates. Forty-two cases of robbery by French soldiers in Bochum had been reported to the German authorities up to yesterday, it is stated.

DUESSELDORF, March 2.—(By the Associated Press.)—The Ruhr allies today went ahead with plans to operate all railroads in the Ruhr and Rhineland with the exception of those in the Cologne area. General Payot, the transportation officer of the French mission will be the administrative officer.

LONDON, March 2.—The German ambassador, Gustav Stumme, and his wife, luncheon with the king and queen at Buckingham palace yesterday for the first time since the war.

BERLIN, March 2.—(By the Associated Press.)—The German government has been paying fines assessed by French courts martial against Essen policemen in order to expedite their release from prison, says a dispatch to the Vossische Zeitung. Prison sentences and fines ranging from 50,000 marks to hundreds of thousands of marks have been imposed on many policemen for obeying the orders of the federal minister of the interior not to salute French and Belgian officers, the dispatch says.

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'SHAR'LY' AND
POLA NEGRI
RE-ENGAGED

Temperamental Film Star,
After Breaking Engagement
With Charlie Chaplin for
Alleged Statement On Pov-
erty, Is Reconciled After
Visit—All Rosy Again.

LOS ANGELES, March 2.—Pola Negri and Charlie Chaplin, motion picture stars, were engaged again today after having endured six hours of anguish last night when Miss Negri broke their engagement to marry because she had read in a newspaper a statement credited to her fiancé that he was "too poor" to marry her "just now."

Rumors that they were engaged interested motion picture fans everywhere when they were first published November 25 last and the interest was maintained when the principals officially confirmed the rumors at Pebble Beach, near Del Monte, Cal., January 28.

At that time Chaplin declared he was the happiest man in the world, and Miss Negri indicated she was very well pleased, indeed, with "Sharlie," as she calls him.

So everything seemed to be running smoothly and everybody was expecting that the date for the wedding soon would be set definitely until yesterday when Chaplin was quoted as stating: "I am too poor to get married just now. This is a work-a-day world and we've all got to stay busy and keep away from climaxes and sentiment."

Twelve hours later Miss Negri issued a statement reading: "I consider I am too poor to marry Charlie Chaplin. He needs a wealthy woman, and he should have no difficulty in finding one in the United States—the richest and most beautiful country in the world. Therefore I give Mr. Chaplin his freedom and release him from his engagement. I wish him the best of luck and I will always be his devoted friend."

That statement was typewritten. Pressed for details, the tragedienne's lips trembled and her eyes filled with tears as she replied: "There were a thousand things. It is another experience. A woman must learn by experience. I have learned. Now I will live only for my work. All the rest; the happy days—are dead to me. It is all over."

Chaplin, being a comedian said: "Oh, and 'is that so?'" when newspaper men informed him of what Miss Negri had done and said, and hung up the telephone and barred his friends from his home while he thought.

As a result of that thinking and while newsmen, calling the early night editions of the morning papers in the Hollywood district informed him that "Pola" gave Charlie the air," he sought the residence of his fiancée.

Everything Is Rosy
Just what happened then probably will never be given to the world in detail, but after midnight Chaplin went home with a smile on his face. In his limousine, and Pola, her finger again weighted with the platinum engagement ring she had removed a few hours previously, was contemplating her joy, "too happy to sleep," she said.

Miss Negri frankly admitted her happiness in "making up" after Chaplin had declared he never had made the "too-poor-to-get-married" statement.

"Mr. Chaplin came to see me and he stayed late," said Miss Negri. "I have taken him back and we are quite reconciled and engaged again. He swore to me he had never said he was too poor to marry me. He told me he loved me and could not live without me. And so, of course, I believed him and have taken him back."

PROFITEERS PAY BACK
NEARLY 3 MILLION

WASHINGTON, March 2.—Collections for the last four months by the government of war claims against the three million mark when Attorney General Daugherty received a check for \$150,000, nearly the last payment of \$670,000 by the Derby Manufacturing company on copper contracts.

Bill Hart, Jr., and
Young Doug. Fairbanks
Pop Into Public Eye



LOS ANGELES.—Two kids of famous movie fathers, Wm. S. Hart, Jr. and Douglas Fairbanks, Jr. broke into the limelight this week. The young edition of the famous western "two-gun man" won the world's attention because of having his picture taken for the first time, and because his arrival failed to reconcile his parents, Winifred Westover Hart and Wm. S. Hart, Sr., who are about to be divorced.

Doug. Fairbanks, the second, has announced that he is going into the movies, too, and that he will "try anything that Dad does."

CONTRACT IS LET
FOR COMPLETION
C. LAKE HIGHWAY

PORTLAND, March 2.—(Special to Mail Tribune.)—Crater Lake highway contract has been let to J. Hampshire of Grants Pass for \$132,227. The road is to be kept open during the tourist season and work to be completed May first, 1924, the state to bear full expense.

The above message received from County Judge Gardner will be welcome news to the people of Jackson county, as it removes all doubt as to the immediate completion of the Crater Lake highway and without expense to Jackson county. Judge Gardner has worked hard for the last six months on this proposition and the successful outcome is a decided feather in the county official's cap.

The Noted Dead

LOS ANGELES, Cal., March 2.—Roderick John MacKenzie, Canadian railroad magnate, international known sportsman and owner of the Pleasanton race track near San Francisco, died suddenly in a hotel here last night.

He became ill three days ago but summoned no physician until yesterday. His death was said to have been caused by pneumonia.

He was the son of Sir William MacKenzie of Toronto, president of the Canadian Northern railroad and while that road was building the son had charge of construction work with headquarters in Chicago. Besides his steam railroad interests he had oil interests in Kansas, electrical railroad interests in Winnipeg and the Pleasanton race track in California.

Norwegian Government Resigns.
CHRISTIANA, March 2.—(By the Associated Press.)—The Norwegian government has resigned, following rejection by the Storting of its proposal for a commercial treaty with Portugal.

The proposal was voted down, 119 to 22.

Hiccoughing Fatal
to Kansas City Man,
Victim of Pneumonia

KANSAS CITY, Mo., Mar. 2.—Charles Tewson, 57, died today at a local hospital after suffering for hiccoughs more than 100 hours. Death resulted from pneumonia, according to physicians.

KANSAS CITY, Mo., Mar. 2.—Hiccoughing, which has continued more than 100 hours, today imperiled the life of Charles Tewson here. No remedy has been discovered by attending physicians, who declared the hiccoughing is caused by acute diaphragm pleurisy and pneumonia.

SEC'Y OF STATE
ANSWERS QUERY
OF SENATE COM.

WASHINGTON, March 2.—The decision not to act this session of congress on President Harding's proposal for American membership in the international court of justice was reaffirmed by the senate foreign relations committee today after it had received a further explanation of the administration's purposes from President Harding and Secretary Hughes.

The non-compulsory clause of the protocol creating a court of international justice was again called to the attention of the senate today by Secretary Hughes in a letter replying to the foreign relations committee on the questionnaire which was drawn up after President Harding had recommended conditional American participation in the tribunal.

To agree beforehand to compulsory jurisdiction of the court over international disputes, the secretary conceded would be contrary to the sentiment of the senate as clearly defined on many occasions in the past. No such agreement would be necessary, however, he declared, because of the League of Nations protocol creating the court gave participating nations an opportunity to elect beforehand whether they would regard decisions affecting them as compulsory in all cases.

To the committee's question as to whether the administration favored a compulsory arbitrary treaty, Mr. Hughes therefore replied in the negative. He made a like reply to the question of whether the United States proposed by its membership in the court "to recognize as a binding obligation" that part of the Versailles treaty which sets up an international labor bureau.

In response to a query as to whether other member nations had accepted the court with reservations, as the administration proposed the United States should do, he said, "he was not advised that any other state has made reservations."

Mr. Hughes' letter, largely technical in character, was forwarded to Chairman Lodge of the foreign relations committee. Senators declined to comment on it until they had time for further study, but it was indicated that no further action on the recommendation was expected at this session of congress.

PRESIDENT NAMES
THREE DEMOCRATS

WASHINGTON, March 2.—President Harding today completed the membership of the foreign debt funding commission, as authorized by the recent changes in the law, by nominating for membership three democrats, Senator Carter Glass of Virginia, Representative Charles H. Clegg of Georgia and former Representative Richard Olney of Massachusetts.

The commission's tentative plan of railroad consolidation linked the Chicago, Milwaukee and St. Paul road with the Great Northern, where Mr. Holden suggested uniting the Milwaukee with the Union Pacific. Professor Riley discussed the two

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MAY REDUCE
S. P. GRADE
SISKIYOU

California R. R. Commission
Reports S. P. Agrees to Co-
operate in Improvements—
Extension of Northwestern
Pacific to Marshfield, Ore-
gon Also Suggested.

SAN FRANCISCO, March 2.—A list of suggested improvements in the regrouping of state and inter-state carriers by the inter-state commerce commission, including the extension of the Northwestern Pacific system into Oregon and the electrification of main lines, was submitted to a group of shippers and railroad representatives here today by the state railroad commission.

The proposed improvements include: "The betterment of the Central Pacific by double tracking and grade reduction through the Sierra Nevada mountains."

"Reduction of the grade of the Central Pacific main line over the Siskiyou mountains."

"Development and upbuilding of the Northwestern Pacific with its extension in Oregon and its possible connection with the Portland main line by way of Marshfield."

"The ultimate electrification of certain of the main lines, particularly in the mountain sections."

Guy Shoup, general counsel for the Southern Pacific company, told the meeting that his company would cooperate to the fullest extent with the commission.

I. C. C. Considers Consolidation.

WASHINGTON, March 2.—Members of the inter-state commerce commission made exhaustive queries today into plans for far flung railroad consolidations in the west proposed by Hale Holden, president of the Chicago, Burlington and Quincy.

On the witness stand before the commission Mr. Holden defended at every point the proposal which he has made for combining practically all the western railroads into four great operating units, each of which would operate more than 30,000 miles of line.

W. Z. Ripley, who drew up the less sweeping consolidation plans proposed by the commission, asked if Mr. Holden considered Panama canal competition with trans-continental railroads serious enough to justify the railroads in general consolidation as one means of meeting it.

"The Panama canal diversion of traffic from all the Pacific ports is growing and likely to keep on," Mr. Holden replied. "The other day a ship from Puget Sound unloaded shingles at Houston, Texas."

In spite of the magnitude of the consolidation proposals he advanced, Mr. Holden insisted that the competition in railroad service would be increased under the plan because the four corporations would be approximately equal in financial strength and would be provided with access to all important centers of industry and commerce on an equal basis.

"If we are going to do anything with railroad consolidation we must go at it in a broad way and take a courageous view," Mr. Holden said. "We need not shy away from the management difficulties. The problem of getting efficient management could be met by re-distributing authority of general offices and giving to local officials more power and responsibility."

The commission's tentative plan of railroad consolidation linked the Chicago, Milwaukee and St. Paul road with the Great Northern, where Mr. Holden suggested uniting the Milwaukee with the Union Pacific. Professor Riley discussed the two

JUDGE GIVES CITIZENSHIP TO MAN
WHO SPANKED HIM IN IRELAND

SAN FRANCISCO, Mar. 2.—Will Roche, late of Waterford county, Ireland, is a citizen of the United States today, thanks to the man he spanked many years ago when both were boys. Judge Michael Roche, no relation to Will, was sitting in federal court here yesterday afternoon, hearing naturalization cases when a man well past his prime appeared with a petition for citizenship.

"What's your name and where are you from?" Judge Roche asked.

"Will Roche and I'm from county Waterford, Ireland," was the reply.

"How's that?" the judge asked, and the answer was repeated.

Judge Roche swallowed hard and looked down closely.

"Your face looks familiar; I wonder if I didn't know you," said the judge presently.

"Sure, you knew me well, I licked you once for teasing my father's bull."

Then the judge remembered how as a lad in Ireland he used to crawl upon the fence and tease neighbor Roche's bull to make it chase him and how neighbor Roche's son, a little older, spanked him soundly for it one day.

The Roche, one a judge in the court and the other an immigrant, spanned the years with a handclasp as one welcomed the other to citizenship.

DRUNK BANKER ON JOYRIDE HELD FOR
KILLING 3 PEOPLE PHILADELPHIA STREET

PHILADELPHIA, March 2.—Two women and a man were killed early today when an automobile, traveling at a high rate of speed, crashed into them as they were alighting from a trolley car in West Philadelphia. The driver of the machine did not slacken his speed but rushed away as his victims were hurled fifty feet.

Later Henry G. Brock, banker, clubman and member of a widely known Philadelphia family, was found four blocks away from the killing standing beside a bloodspattered motor wrecked against a pole. He was arrested and later held without bail by a police magistrate on a homicide charge. He also was held in \$5,000 bail on a charge of driving an automobile while intoxicated and for failing to go to the aid of an injured person.

A fur neckpiece worn by one of the women was found wedged between the mudguard and the radiator of the car. A barrette was embedded in the radiator.

The dead were Mrs. Ellen O'Donnell, 65; Leo O'Donnell, 29, her son, and Miss Mary Murphy, 18, a friend of the O'Donnell family.

The three were returning home from a birthday party for Mrs. O'Donnell's daughter, Mrs. Clara Hurt. Mrs. O'Donnell was a widow and the mother of eight children. Miss Murphy was a high school senior.