The Weather
Prediction .....Fair and mild
Maximum yesterday 78
Minimum today 46.5

MEDFORD MAIL TRIBUNE

Weather Year Ago
Maximum 92
Minimum 48

Daily—Twentieth Year.
Weekly—Fifty-third Year.

TWELVE PAGES — MEDFORD, OREGON, FRIDAY, MAY 15, 1925 — NO. 47

University Library

GEN'L MILES DROPS DEAD AT CIRCUS

Famous American Soldier, Ex-Chief of Staff and Indian Fighter, Expires Suddenly While Watching Circus in Washington, D. C. — Had Been in Good Health

WASHINGTON, May 15.—General Nelson A. Miles, famous American soldier, dropped dead here today. Death occurred while General Miles was attending a circus performance.

The general had apparently been in the best of health. Mrs. Coolidge was attending the performance.

General Miles was 86 years old, but despite his advanced age, he had taken his usual interest in public affairs until today.

When he started for the circus performance there was no hint of an impending illness.

Falls Into Doctor's Arms.

The old Indian fighter was sitting on the third row of the circus stands when he fainted.

He fell into the arms of Dr. Arthur W. Craig, who was immediately behind him. Dr. Craig and others removed him to a position under the seats and then to a point outside the tents, where he died.

The general was accompanied by Mrs. W. B. Noble, his daughter-in-law and several of his grand children. The opening pageant of the circus had just begun when he collapsed.

Many of those sitting nearby did not recognize the distinguished soldier and it was some time before the news of his death became generally known. The performance of the circus proceeded.

Intimates of General Miles recalled today that his brother died with similar suddenness here 13 years ago. The incident was unusually dramatic, General Miles recognizing the body in LaFayette park as he was strolling through after his day's work at the war department.

The general took the body up in his arms and carried it to an automobile. By a coincidence, General Miles was stricken today while witnessing a performance participated in by Indians, many of whom knew him by personal contact of his prowess as a foe.

The general lived in an apartment house here with a daughter, the wife of Colonel Samuel M. Reber, retired. Recently he had spent a great part of his time mingling with old friends at the army and navy club and in playing golf and taking hikes over the city and surrounding country.

The cause of death was angina pectoris. The body was taken by ambulance to Casualty hospital where many of the general's friends gathered as soon as the news reached them.

Years ago a mausoleum was built under the general's direction at Arlington National cemetery, on the Potomac and his body will undoubtedly be placed there after funeral services participated in by highest officials of the government.

The mausoleum stands near the memorial amphitheater on a wooded ridge overlooking the capital. It served as a resting place for the body of Admiral Dewey for a time immediately after his death.

Sketch of Career

Lieutenant General Nelson A. Miles, brilliant Indian fighter and one of the most picturesque and distinguished leaders in American military history, was one of the "boy generals" of the Civil War. At the age of 25 he had risen from the rank of first lieutenant of volunteers to that of major general, and was commanding an entire army division of 25,000 men.

General Miles, who at the peak of his military career was commanding general of the army, was one of the few high ranking officers of the regular establishment to attain his position without West Point training, and also enjoyed the distinction of being among the still smaller group to be honored with the rank of lieutenant general.

From a clerical position in a Boston business house, he entered the army at the age of 22; participated in more than 30 of the severest engagements of the Civil War; was four

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Sun Ray Inventor Commits Suicide With Latest Device

REDWOOD CITY, Cal., May 15.—(By Associated Press.)—Gratien Moreau, 62, who spent years attempting to perfect an invention to harness the rays of the sun, yetserday committed suicide with a newly fashioned device of his own creation which sent a bullet into his brain.

The principle of the suicide instrument was a firing pin released by a heavy spring. The pin caused a 32 caliber cartridge to discharge from a brass cylinder. He even rifled the bore so that the bullet would have truer aim. The aim was perfect; he was shot through the brain and died immediately.

ONLY RESIDENTS CAN VOTE, CITY LIMIT ELECTION

Property Owners Not Residents of Districts Not Allowed Voice in Decision As to Extending City Limits at Tomorrow's Election.

To the Editor: For the benefit of the voters for the coming election to be held tomorrow, Saturday, May 16th to allow persons desiring to come into the city so as to obtain city water, the following provisions from the law are herewith presented:

Inside the City:—Every person who has been a resident of the city of Medford for a period of over thirty days immediately preceding the election and who is over the age of twenty-one years of age and is either a native born or naturalized citizen of the United States, and who has been a citizen of the state for a period of more than six months immediately preceding this election is qualified and may vote at said election whether registered or not by satisfying the election board that they are qualified as electors. Regular county poll books will be in use as in all regular elections.

Outside of the City:—The same qualifications as above set forth apply to the voters in the district proposed to be annexed. They must be residents of the district proposed to be annexed and do not have to be property owners therein. Persons owning property in the district proposed to be annexed but not living therein cannot vote. People from the city are allowed to vote in the polling places outside of the city, or visa versa.

Inasmuch as there are no regular polling lists for the use of the judges and clerks in the districts proposed to be annexed it will be necessary for the election boards, if they do not know that the person proposing to vote is qualified, to satisfy themselves that he is qualified to vote.

JOHN H. CARKIN,
City Attorney.

To the Voters:

Tomorrow's city election to extend the boundaries of the city of Medford was called at the instance of various persons outside of the city who desired to avail themselves of city water, fire protection, etc., as the city council and water board do not feel that in justice to the taxpayers of the city that they can give water, fire protection, etc., to residents outside of the city.

Owing to the fact that the extra taxes that will be paid by any property that comes in is so small that it will not more than cover the extra cost of furnishing water, fire protection, street grading, etc., neither the city council nor the water board see any good reason why, the city should wish to have anyone come into the city against his wish, but they do feel that in justice to these people who have already made homes outside and to other property owners who own land on which they wish to build that they should be granted the privilege to come in to the city if they so desire, so as to be able to obtain water and other city privileges.

CITY COUNCIL
By O. O. ALENDERFER, Mayor.
BOARD OF WATER COMMISSIONERS
By H. L. WALTHER, Chairman.

CONVICT IS CAPTURED IN SACRAMENTO

Floyd Hall Taken Without a Fight in Japanese Rooming House After Eluding Police for Six Weeks—Tired of Being Hounded—Knows It Means Noose.

SACRAMENTO, Cal., May 15.—Floyd Hall, youthful escaped murderer from San Quentin state prison and master marauder whose career, linked with Joe Tanko, his partner in crime, has been a spectacular one since the pair escaped from the penitentiary April 7 last, lies in the Sacramento city jail, held incommunicado. He was captured late last night without a fight or an attempt at one and somewhere in the city is supposed to be his "pal," Tanko.

Hall's capture was a tame one. It had been expected that when the police came upon Hall and Tanko, blood would flow. Instead of that, acting upon a tip from a citizen, Chief of Police Barney McShane, accompanied by Detective Captain Henry Desenfants, Sergeant Perry Gamble and Patrolman Danny Reith invaded a Japanese rooming house on Fourth street, not far from the Sacramento river front, walked into a dark room, flashed a light under the bed and there was Hall.

Upon a brusque order, Hall crawled from beneath the bed, his

Floyd Hall.

hands above his head, was searched and in a few minutes was in a cell at the city jail.

Convict Unarmed.

Hall had no weapon, although the police stated that he had with him a number of .30-30 rifle cartridges.

Hall was taken at about ten o'clock last night, but the news was held up for two hours by the newspapers, upon the request of Chief of Police McShane, who had hopes of being able to apprehend Tanko as well.

Through the night the entire police department worked, looking for Tanko. All roads leading out of the city were guarded and rooming houses were being searched. Even the off-shift fire department was called into service. The sheriff's office also was out. It seemed that Tanko might be captured during today.

Hall's only comment after his capture, the police said, was "I know what this means, it's the noose."

This cryptic remark was taken by some as an admission that it was Tanko and Hall who on April 18 shot and killed H. J. Litzberg, a Sacramento merchant in his store, while attempting to rob the establishment.

Tanko Still at Large.

Gus Grillo, an aged clerk, employed by Litzberg always has maintained that it was Tanko and Hall who attacked him in the robbery attempt and shot Litzberg when he came to the rescue from a rear room.

Three days after the killing of Litzberg, Patrolman Clyde Nunn, pursuing a car which had been commandeered, along with its driver, F. R. Harlow, was shot by men later identified as Tanko and Hall. He was dangerously wounded, but is recovering.

When arrested Hall was dressed in a new pair of overalls and a new shirt. A new cap was also found in his room. It bore the label of "Tozai," a Japanese merchant at 124 Fourth street. On the way to the city prison Hall told officers he had been hounded to a point where he was almost desperate.

The "tip" to the police department was given by a man who saw a man he thought was Hall leave the Nippon theater, Fourth street, near L. Following him the man saw the suspect disappear into the Colusa rooming house and immediately notified Captain Desenfants.

It is presumed by officers that

(Continued on page three)

Hungary Claims She Is World's "Most Perfectly Formed Woman"

Hungary now claims the "world's most perfectly formed woman." Anyway, this "dashing widow" in abbreviated weeds, Martha Dobrovits, is Hungary's entrant in the world sweepstakes for the title.

REFERENDUM ON CIGARETTE TAX MAY BE HELD UP

Restraining Order Granted C. C. Chapman, Which if Sustained, Will Mean Recirculation of Petitions With Only Ten Days for Task

SALEM, Ore., May 15.—On petition of C. C. Chapman, filed with the circuit court here yesterday afternoon, appealing from the ballot title prepared by Attorney General Van Winkle for the cigarette and tobacco tax referendum, Judge L. H. McMahan granted a temporary restraining order. Secretary of State Kozer and the Oregon Retail Cigar Dealers' association, the defendants are required to show cause May 18, or earlier, if an earlier date can be agreed upon.

Chapman alleges that the words "cigarette and tobacco tax bill," in the title should read "cigarette, snuff and smoking tobacco stamp tax bill," and sets forth reasons why he believes the title as prepared by Van Winkle is unfair.

If the petitioner is upheld by the court and it is found necessary to alter the ballot title, all names so far signed to the petition will be void and it will be necessary to start the petitions in circulation again. Complete petitions must be filed on or before May 27.

The petition declares:

"That the ballot title provided by the attorney general for said law is insufficient and unfair in this—that it does not state that an appropriation is made for enforcement of said law and that it describes the said tax as an excise tax and does not state that it is a stamp tax law; that the words 'excise tax' do not necessarily mean a stamp tax and do not convey to the mind of the voters the knowledge that this is a stamp tax law; that the word 'excise' is not a word in common use and not commonly understood while the word 'stamp' is in common use to describe a tax and will clearly and instantly convey to all persons the character and method of levying and collecting this tax and further said ballot title is insufficient in that it does not state that any penalty is provided for violation of said law and erroneously states the proceeds of said tax are part of the general fund of the state."

The Noted Dead

PORTLAND, Ore., May 15.—William D. Fenton, Sr., formerly general counsel in Oregon for the Southern Pacific company, died at his home today after a long illness. He had retired in 1917 owing to ill health. At that time he donated his law library to the University of Oregon. His breakdown was attributed by his friends to his hard work in the long court battle known as the Oregon and California land grant case.

START WAR ON MAGAZINES IN SALEM OREGON

Crusade Against Periodicals of Questionable Nature Spreads Over Country—San Francisco Police Act—Washington, D. C. Joins Movement.

SAN FRANCISCO, May 15.—Magazines and other periodicals picturizing femininity in nude profusion were banned from shops and news stands here today under order of Police Chief O'Brien.

SALEM, Ore., May 15.—An ordinance will be introduced at the next meeting of the city council, City Attorney Chris Kowitz said today, to suppress the sale of magazines and periodicals on local news stands that are adjudged to be obscene. Complaint against such magazines was made recently by J. C. Nelson, principal of Salem high school. Mr. Kowitz said that while there is a state law covering the situation, the city charter authorizes the enactment of a city ordinance and he believes it will be advisable to have the city statute in addition to the state law.

Many of the magazines that are drawing fire are so-called "art" magazines, no less than eight different periodicals of this kind being on sale at some of the city news stands.

WASHINGTON, May 15.—Ten popular priced magazines have been ordered withdrawn from sales at newsstands here as "obscene" and "indecent."

District Attorney Gordon who banned the publications said forty more were awaiting examination.

Wall Street Report

NE WYORK, May 15.—The closing was strong. United States Cast Iron Pipe soared 6½ points, Bush terminal (old stock) 5¼ and Air Reduction and iPerce Arrow preferred three each.

Speculative interest in today's stock market centered in the high priced industrials, several of which advanced three to eight points. The general market displayed an improved tone. Total sales approximated 1,350,000 shares.

Death Toll of the Automobile

PORTLAND, Ore., May 15.—Earl Brown, driver of a fuel truck of the Multnomah Lumber company, was instantly killed shortly before noon today when his truck was struck by an inbound Oregon Electric train at a grade crossing.

B. J. Petrit, who was with Brown, was thrown clear of the wreck and escaped uninjured.

Old Union Station In Chicago Closed For World's Largest

CHICAGO, May 15.—(By the Associated Press.) — The old Union station which forty-four years ago was hailed as the largest and finest railroad station in the world, ends its span of service tomorrow midnight.

The new Union station, part of a $75,000,000 enterprise, again the largest in the world, will replace it. The new edifice is a half mile long and covers 35 acres.

STAR WITNESS IN GERM CASE LEAVES G. PASS

Miss Isabella Pope, Fiancee of Millionaire Orphan. Supposed to Have Been in California, Has Been in Rogue Valley All the Time.

PORTLAND, Ore., May 15.—Miss Isabella Pope, fiance of the late William Nelson McClintock, Chicago millionaire orphan, passed thru Portland today en route to Chicago from Grants Pass, Ore., where she has been visiting relatives.

She said she had not been subpoenaed, but was hastening back to Chicago on the call of her lawyer to be ready to testify in the case against William D. Shepherd, who is to be tried in Chicago in connection with the death of McClintock.

While declaring she must not talk of the case in advance of testimony she may give on the stand, she volunteered a few observations.

She declared she was as much surprised as anyone at the rapid developments following the death of McClintock.

"I personally could not understand why the Shepherds made such a quick getaway after the burial of William," she said. "His illness had not been half as hard on them as on me, though they did say they were all broken up and had to get away for a rest."

GRANTS PASS, May 15. — Miss Isabelle Pope, who has been visiting here at the home of Mr. and Mrs. Craig Duer on Washington boulevard, left last evening for Chicago, where she will testify at the trial of William Shepherd, indicted for the murder of William McClintock, the "millionaire orphan", who died as a result of typhoid fever.

The whereabouts of Miss Pope were mentioned in all press dispatches as being in Los Angeles, and even this week it was announced that she had left Los Angeles, to be a witness in the trial of Shepherd, which starts next Monday. None but the authorities and intimate friends knew that she was in Grants Pass. When she first left Chicago, after the arrest of Shepherd a search was made for her, for interviews, in every southern California city.

Bebe Daniels Denies She Had Operation To Change Her Nose

CINCINNATI, May 15.—(A. P.)—Bebe Daniels, moving picture actress who is a patient in the Jewish hospital here, denied today that she had undergone an operation in plastic surgery for a correction of her nose. She did undergo an operation but it was for the removal of a small growth within the nasal cavity, she said.

W. J. BRYAN IS HISSED OFF STAGE

Great Commoner Retires Amid Hisses and Boos When Brown College Students Dispute His Contention That Evolution Does Not Exist—Bible Belief Denied.

PROVIDENCE, R. I., May 15.—William Jennings Bryan, speaking in his own campaign against the teaching of evolution, was booed and hissed by Brown university students last night as he abruptly ended a question period caustically assailed a student questioner and left the hall. After the student, George L. Cassidy, had stepped to the platform and repeated his question at the orator's request, Mr. Bryan remarked that the hour was late and added:

"Ladies and gentlemen, I've come a long way to address you students of Brown university, but I shall certainly have to retire before this magnificent, bubbling fountain of wisdom on my right."

He left the stage amid hisses and boos. There was no applause, although only a short time previous the speaker had swayed his auditors wih his emotional appeal for the protection of man's faith in God against the teachers of the doctrine that humanity has descended from the lower animals.

Before the brush with Cassidy, Mr. Bryan said to another student, William G. Chase, "I am sorry for you and ashamed of you."

Chase, embarrassed, had answered, "no," when Mr. Bryan asked: "Then you don't believe in the Bible?"

Mr. Bryan declared that real science cannot conflict with religious teachings, but said that evolution is not truth. Its exponents, he asserted, are enemies of all religion, not only Christianity."

The question asked by Mr. Cassidy was:

"Isn't it possible that there may be a philosophy gained by evolutionary thinking which presents a worship and reverence for future generations as an ideal and looks toward the development of Heaven upon earth through the use of science; and is not this ideal a fine and worthy one, capable of producing a not less noble standard of morality?"

DAYTON, Tenn., May 15.—H. G. Wells, noted British novelist, is to be asked to lead in the defense of J. T. Scopes, teacher in local schools, accused of violating the state anti-evolution law. George W. Rappelyea, Dayton chemist, who caused the arrest of Scopes, said last night that every effort would be made to have a debate on evolution between William Jennings Bryan and the British writer.

MEMPHIS, Tenn., May 15—(A. P.)—Failure of the committee appointed to prepare a declaration of faith and message to agree unanimously resulted yesterday in the southern Baptist convention being called upon to decide whether the theory of evolution should be discussed in its statement of belief.

With one dissenting member, the committee, headed by E. I. Mullins, Louisville, suggested that the convention adopt as its statement of belief of man's creation that:

"Man was created by special act of God, as recorded in Genesis."

Dr. C. P. Stesley, Oklahoma, offered as substitute to the declaration, this statement:

"We believe that man came into this world by direct creation of God and not by evolution."

The convention declined the substitute by a vote of 2,012 to 950 after more than two hours' discussion. Although the statement of the fundamental basis of Baptists fails to refer to the evolution theory directly an appended statement refers

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TWO SOLDIERS UNDER U. S. GRANT UNITED IN ROSEBURG AFTER 73 YEARS

ROSEBURG, May 15. — Seventy-three years ago the steamer Golden Gate swung at anchor in Panama bay with the United States Fourth infantry on board. Cholera broke out and 200 soldiers died and were buried in the waters of the bay. Ulysses S. Grant, later commander in chief of the Union army and president of the United States, was a lieutenant in the regiment and one of those who aided in controlling the situation. On the boat were a man and a boy, Robert Starkey, able seaman and John Kelly, drummer boy of the Fourth regiment, who became quite friendly, but after their harrowing experience, lost sight of each other until yesterday when at the Oregon soldiers home they were unexpectedly reunited. Mr. Starkey, who is 86 years of age, came to the home about a week ago from Coos county. He enlisted in 1843 and served during the Mexican and Civil wars. John Kelly enlisted when a small boy as a drummer and served during the Civil war. He has been a resident of the state home for the past eight years.

ANNETTE KELLERMAN SUES L. A. REALTY CO. FOR $20,000 DAMAGES

LOS ANGELES, May 15.—Annette Kellerman of swimming fame is the plaintiff in a $20,000 suit on file in the superior court today against the Annette Kellerman Rancho Realty company and the Anette Kellerman Rancho Building company. She alleges the defendants have been selling memberships in a country club project by wrongfully using her name. She is not connected with the project in any way, she says, and estimates her reputation has been hurt to the extent of $20,000, the amount she asks as damages.