

The Weather

Prediction... Probable showers tonight and Tuesday... Maximum yesterday 70.5... Minimum today 50

MEDFORD MAIL TRIBUNE

Weather Year Ago... Maximum 102... Minimum 54

Daily—Twenty-fifth Year. Weekly—Fifty-third Year.

MEDFORD, OREGON, MONDAY, JUNE 1, 1925

NO. 61

OREGON SCHOOL BILL IS HELD INVALID

HIGH COURT KILLS KLAN BACKED ACT

Supreme Court Rules State Not to Compel Attendance to Exclusion of Private Schools—Nation-Wide Interest in Decision.

Pierce Not Surprised. SALEM, Ore., June 1.—The decision was no surprise and was not unexpected as far as I am concerned, said Governor Pierce today when informed that the United States supreme court had declared unconstitutional the anti-parochial and private school bill.

WASHINGTON, June 1.—(By Associated Press.) Oregon lost in the supreme court today its fight to compel children to attend public schools. The court held that the states in enforcing compulsory education laws cannot require the attendance of children in public schools, to the exclusion of private or parochial schools.

The Oregon compulsory education law, requiring children between the ages of 8 and 16 to attend public schools, therefore was declared invalid. The decision has been awaited with unusual interest because of the peculiar circumstances of the litigation, and because many other states have compulsory education laws.

Justice McReynolds, delivering the opinion for the court said the inevitable practical result of enforcing the Oregon act would be destruction of the present parochial schools and other private primary schools, which are engaged in a kind of under-taking not inherently harmful, but long regarded as useful and meritorious.

PORTLAND, Ore., June 1.—"I am delighted with the decision," said Joseph A. Hill, head of Hill Military academy, one of the plaintiffs in the suit attacking the Oregon school law, who returned only a few weeks ago from Washington, D. C., where he appeared before the United States supreme court while his attorney, John C. Veatch, argued the appealed case.

"We are naturally pleased that the right of the parent to educate his child has been upheld. It should end for all time the argument over who owns the child—the parent or the state.

"Experiments in education are always made by private enterprise—not by state schools. The way is left open for such continued experiments, of which the state has the benefit after the soundness of the theory has been tested by private schools.

"Specifically the decision means that Hill Military academy will immediately proceed with plans for a new school on the Rocky Butte site to represent an investment of \$250,000. We expect to get into the building during the coming school year."

Judge J. P. Kavanaugh, attorney for the Society of the Sisters of the Holy Names of Jesus and Mary, one

T. R.'s Daughter Sits for Portrait for Beauty Cream Ad

WASHINGTON, June 1.—(A. P.)—Mrs. Alice Roosevelt Longworth, wife of the speaker-designate of the house, has been journeyed, to be used in the advertising of a well-known beauty cream.

The \$5000 which Mrs. Longworth will receive under the contract for use of the portrait, will accrue, it is understood, to the bank account of her daughter, Paulina, who came into the world some three months ago.

PLOT TO STEAL MARY CONFESSED BOOZE BLAMED

Truck Drivers and Auto Salesman Held—Fix Ransom at \$200,000—Other Film Stars Prospective Victims—Shriner Colors Used to Camouflage.

LOS ANGELES, June 1.—With three purported confessions in hand and a trio of alleged plotters under lock and key, police investigators working on the Mary Pickford kidnapping case met today with representatives of the district attorney's office to discuss presentation of the so-called \$200,000 kidnapping case to the grand jury.

In the meantime an attorney retained by the wife of A. J. Woods, one of the alleged conspirators, announced he would seek his immediate release on a writ of habeas corpus. Woods, who is a truck driver, and his two associates, C. A. Holcomb, also a truck driver, and C. Z. Stevens, automobile salesman, all have made signed confessions of their part in the kidnapping plot, according to police, and are being held on suspicion of conspiracy to commit a felony.

In the purported confessions the prisoners admit that, under the stimulus of such strong drink as was available to them from time to time they talked of "various ways of getting easy money."

A project to kidnap the grandchildren of E. L. Doherty, oil magnate, was under consideration for a while, as were plans to carry off and hold for ransom Jackie Coogan, Pala Negri and the grandson of an unnamed retired businessman.

Finally, the confessions reveal, Mary Pickford was picked as the most likely prospect for a really profitable kidnapping.

Conferences were held at which it was agreed Miss Pickford should be seized while en route from her Hollywood studio to her home; that the kidnapping should be given an up-to-the-minute camouflage by bundling the actress into a car decked with Shriner convention banners and bunting so as to give the affair an air of innocent merrymaking and that the victim should be held in a secluded house until her husband, Douglas Fairbanks, paid the conspirators \$200,000. It was while the matter of selecting a suitable house was still under discussion that police house the trio in the city jail.

Stocks Not Exempt

WASHINGTON, June 1.—(A. P.)—Stocks issued by the General Motors company in its reorganization as a Delaware corporation were subject to a federal income tax, the supreme court ruled today in a case brought by Walter L. Marr, a stockholder.

Oregon Weather Unsettled, with probably occasional showers tonight and Tuesday. Light variable winds.

KAY FLAYS GOVERNOR AND AIDES

Walter Too Smart for Legislature, Treasurer Admits—'Pierce Republicans' Prove Great Help—Tax Muddle Is Cause of Remarks Before Salem C. of C.

SALEM, Ore., June 1.—Governor Pierce and thirteen state senators were flayed by State Treasurer Kay today in an address before the Salem chamber of commerce. He charged them with plunging the state into the alleged financial morass in which it is now said to be floundering. Nine of the senators, he said, were republicans who yielded to the influence of the only four democrats in the senate and among the nine he specially mentioned the two Marion county senators.

Kay went on record today as opposed to the Dennis resolution, to be voted on in November, 1926, and which would inhibit the assessment of income or inheritance taxes in Oregon for a period of fifteen years. He explained that while he opposed the recent state income tax, now repealed, he would favor an income tax under proper conditions. One reason given for opposing the income tax act of 1923 was that the federal government assesses a very heavy income tax.

The main issue before the 1925 legislature, said Kay, was whether the legislature would put the governor in a hole, or the governor would put the legislature in a hole.

"I have to admit," he said, "that the governor succeeded, with the aid of a group of senators who stood by him."

The governor did not stop with putting the legislature in a hole, said Mr. Kay, but put the whole state in a hole, and he declared that the governor, with the aid of Jefferson Myers, then state treasurer, violated the law in failing deliberately to levy a sufficient state tax, and that they did it for no other purpose than out of revenge for the repeal of the state income tax. He pointed out that the income tax was passed by the people by a majority of only about 500 and was repealed by a majority of about 14,000.

"Prior to the enactment of the income tax," said Mr. Kay, "the state tax levy was about 3.25 mills. After the repeal of the income tax when the tax commission made its state levy last December, it was its duty to go back to the old levy in order to provide funds that would not be forthcoming from the income tax, but instead, by the vote of Governor Pierce and Mr. Myers, it levied only about 1.85 mills, or about \$1,225,000 less than was necessary."

YANKEE OBSERVER ABROAD QUILTS

PARIS, June 1.—By the Associated Press.—Colonel James A. Logan, whose resignation as American observer with the reparations commission was announced in Washington today, said here that he would be associated with Dillon, Read & Co., New York bankers. He will be in charge of all the company's negotiations in Europe and will be always in harmony with the foreign policy of the American people, his statement said. Colonel Logan will present his resignation to the reparations commission Monday.

COFFEE FIRM IS TAKEN TO TASK

WASHINGTON, June 1.—(A. P.) The firm of Chase & Sanborn, operators of coffee roasting plants in Boston and Chicago, was ordered by the federal trade commission tonight to discontinue certain practices found by the commission to be unfair methods of competition. The eight individual partners of the company are required under the order to refrain from entering into contracts or agreements with dealers specifying prices at which its products are to be resold.

Harry Thaw's Mother Acts as He Begins Another Broadway "Spree"



How long will it be before he is locked up again? The question is being buzzed along Broadway as Harry Thaw applies another coat of red paint to the Great White Way of which he once was king. The slayer of Stanford White, now gray-haired and broken, has been lavishing money and champagne on women and men friends since he made a sudden and dramatic reappearance in New York. His mother, Mrs. Mary Copley Thaw, who has spent more than \$2,000,000 to keep him out of prison, is taking steps to end the "spree." Meanwhile, Evelyn Nesbit, Thaw's divorced wife, is in Chicago, fearsome that Harry will injure her.

LAWYERS OFFER SERVICES GRATIS TO EX-GOV. HART

OLYMPIA, Wash., June 1.—Maurice Langhorne, Tacoma attorney, will be chief defense counsel for former Governor Louis F. Hart in his trial on a charge involving alleged attempted fee splitting in connection with the liquidation of the defunct Scandinavian American bank of Tacoma. It was announced here this morning by Hance Cleland who has been handling preliminary details of the affair for the former governor. In making the announcement Mr. Cleland said that Mr. Hart had called him by telephone from Tacoma where he is in conference this morning with his chief counsel, Mr. Langhorne, who was one of our prominent attorneys in the state who had tendered their services gratis to Mr. Hart, following the filing of the affidavits, Mr. Cleland said.

Passing of the Early Pioneer

ROSEBURG, Ore., June 1.—Simon R. Lane, son of General Joseph R. Lane, the first territorial governor of Oregon, died here this morning at the age of 84 years. Mr. Lane was born in Indiana, February 29, 1842, and came to Oregon in 1852, following his father's first term in congress. Soon after his arrival he entered the mercantile business being located in Winchester, Roseburg and Umatilla Landing successively between the years of 1854 and 1864. In the latter year he retired from business and took up the pursuit of agriculture, operating the old Lane ranch east of Roseburg until 1901. He was also interested in mining and during the time of his business career and until 1896 was one of those concerned in the development of the Pioneer Black Sand Mine in Coos county.

SPANISH PLANES BOMB NEW SOWN LAND OF RIFFS

MARSEILLES, France, June 1.—(By Associated Press.) Military observers arriving here from Morocco say the Spanish are making new efforts to subjugate the Rifian tribesmen by dropping bombs on the newly sown land and upon the ripening crops of barley and wheat in the vicinity of Alhucemas Bay. Every day since May 25 air squadrons have left Melilla for the Alhucemas district but the riflers report their efforts seemingly have had little effect as the riflers worked calmly in their fields both before and after the aerial attacks.

The opening of the major Spanish operation, the landing on the shores of Alhucemas Bay is expected within ten or fifteen days. Weeks of aerial activities have preceded the movement and all assistance possible will be given the army to make the campaign a success.

A large number of small warships will partially blockade the coast line, closely approaching the shore line in the bay. When the moment for landing arrives these vessels will spread a curtain of fire under the cover of which two groups of regular native troops will land from rafts.

The "Daily" Bank Robbery

CHICAGO, June 1.—(By Associated Press.) Five robbers held up and virtually cleaned the Baker State bank in Cicero of available cash, estimated at \$15,000 today. The robbers escaped in an automobile. Thirteen persons, including the employees, were in the bank when the robbers entered and with drawn revolvers, prevented opposition, herded the employees and customers together, while some of the holdup men entered the tellers' cages and gathered up the money. Charles J. Baker, president of the bank, said the robbers took practically all the currency in the bank. He said he did not know the amount but supposed it would amount to nearly \$15,000.

Repealed Income Tax Uncollected to Get No More Waivers

SALEM, Ore., June 1.—The state tax commission today voted that after June 4 no more waivers will be granted on non-alty and interest on delinquent state taxes under the act of 1923, now repealed. Under an act of the 1925 legislature penalty and interest were waived up to and including June 4. It is estimated that in delinquent taxes, penalty, interest and corporate dividends over \$500,000 remains yet to be collected. About \$250,000 has been collected since the first of the year, and the total collected under the 1923 act is now about \$2,020,000. Taxes on corporate dividends are now being collected under a supreme court decision holding that these could not be deducted from the taxed returns of corporations.

HERIOT RESCUE OF AUTO PARTY FROM DROWNING

Sedan Slips Off Ferry, and Family Trapped—Harry Crosby Dives into Car, and Saves Parents—Mother Returns for Baby.

TACOMA, June 1.—Unparalleled heroism saved the lives of Mr. and Mrs. A. V. McDonald and their six months old daughter of Seattle yesterday when the McDonald automobile was pulled into the sound from the deck of the Alki Point-Manchester ferry. The accident occurred as the ferry, crowded with cars was backing out of its slip at Manchester about 7:30 p. m.

The McDonald car at the end of the ferry nearest to the slip, in some manner became entangled in the chain that controlled the movable apron of the slip. To the horror of the motorists on the ferry, the car, a sedan, was dragged off the ferry and dropped into the water as the ferry backed away.

The chain held the car suspended in the water with only the corner of one fender showing. Mr. and Mrs. McDonald were in the front seat of the car and their baby was in the back seat. All the windows were closed except that beside the driver. The ferry pilot, warned by the screams of horror, stopped the craft immediately dived from the ferry and fought his way down to the suspended car, where he kicked in the window beside Mrs. McDonald.

She was dragged out by Crosby, badly cut by the jagged glass, and in the meantime Mr. McDonald fought his way free from the car. The rescuers did not know of the baby's presence in the rear seat until Mrs. McDonald tore herself from the grasp of those who were helping her and pulled herself back through the broken window into the car and emerged a moment later with the baby in her arms.

The baby was revived by artificial respiration although it had been under water for nearly ten minutes. Mrs. McDonald is suffering from nervous prostration and severe cuts but will recover.

Stock Agreement. CHICAGO, June 1.—A stipulation, under which the grain marketing company agreed to discontinue the sale of stock in the company to Illinois farmers until July 28, unless with the consent of the Illinois commerce commission was signed today by counsel for the company and the Illinois Agricultural association.

LATEST BATCH OF STATE BOARDS WILL EXAMINE BEAUTY DRS. & CHIROPODISTS

SALEM, Ore., June 1.—Under the acts of the 1925 legislature, creating the state board of cosmetic therapy, examiners and the state chiropodists examining board, Governor Pierce today appointed the members of these boards, each composed of two appointive members with Dr. Frederick Stricker of Portland, secretary of the state board of health, as ex-officio members of each.

FINAL CALL COMES FOR MARSHALL

War Time Vice-President and Statesman Dies Suddenly Today at Capital of Heart Failure—Reading Bible As Death Angel Descends.

WASHINGTON, June 1.—Thomas R. Marshall, war time vice president of the United States died here today. He passed away at the New Willard hotel here, where he had been ill for several days with a cold and a heart affection. The end came unexpectedly as the former vice president had shown

THOMAS R. MARSHALL



some improvement in the week he had been confined to his hotel room and plans had been made for his return to his home in Indianapolis some time this week.

Accompanied by his wife, Mr. Marshall came here a week ago today. On his arrival he went to the hotel, complaining of great exhaustion. When physicians were summoned it was found he had suffered from a heart attack. He regained strength gradually however, and soon was in such a condition that it was possible to attend to various personal matters for Mrs. Marshall to leave the bed-rooms.

Death resulted from a recurrence of the heart attack which he suffered a week ago. Tentative plans were made for burial at Marion, Ind., near his father and mother and a foster child who died recently. When the end came he was sitting up in bed reading from the Bible to which he had turned throughout life for consolation and guidance and into whose passages he often delved in his office adjoining the senate chamber in moments when his presence was not required as presiding officer.

Only a nurse was at the bedside. Mrs. Marshall was in an adjoining room. Suddenly slumping down upon the pillows, he passed away without a word and apparently without pain.

A sparkling sense of humor, a knack for plain speaking and a philosophy of life rooted in the old-fashioned virtues, made Thomas R. Marshall one of the most interesting figures of his time in American public life. His bubbling wit washed out every suggestion of false dignity and his direct manner of expression reached the understanding of the millions. He prided himself somewhat that he was not a diplomat and that he never outgrew the tenets of the simple faith in God and man to which he was born. Sometimes his blunt expressions of opinion

(Continued on Page Eight)

MR. BRYAN MAKES A NEAT COMPARISON AND REGISTERS FIRMNESS IN MONKEY ROW

CHICAGO, June 1.—(By Associated Press.) William Jennings Bryan, an outstanding defender of Tennessee's law forbidding the teaching of evolution, declared uncompromisingly today "there is no such thing as an evolution." The Bryan lips closed in a thin, firm line and the Bryan chin described an implacable angle. "Ass' milk," explained Mr. Bryan,

"is the kind most resembling human milk, but that does not prove that man is descended from the ass. Nor does the fact that men eat like animals prove that animals are their ancestors."

"Men have never succeeded in developing one species from another. Burbank? Ah, he merely produced variety within a species; he never crossed the line of species."