

The Weather
 Prediction Fair
 Warmer tonight
 Increasing fire hazard
 Maximum yesterday 92
 Minimum today 49.5

MEDFORD MAIL TRIBUNE

Weather Year Ago
 Maximum 87
 Minimum 48

Daily—Twenty-fourth Year. Weekly—Fifty-third Year. MEDFORD, OREGON, TUESDAY, JUNE 23, 1925. NO. 80

START COURT ACTION AGAINST PIERCE

GOV'S RIGHT OF VETO IS CHALLENGED

Attorney John McNary of Salem, Files Action in Supreme Court to Kill Governor's Veto of Special Election Bill and Save State Finances.

SALEM, Ore., June 23.—Contending that Governor Pierce did not have a constitutional right to veto the bill passed by the 1925 legislature calling a special election in September, an original proceeding in mandamus was today filed in the supreme court demanding that Secretary of State Kozier call a special state election on the second Tuesday of next September. The petition was filed by Attorney John H. McNary of Salem, brother of U. S. Senator McNary, on behalf of L. L. Swan of Albany, a member of the legislature, who appeared as the petitioner.

The order which was signed by Chief Justice McBride today and demands that the secretary of state appear on June 26 and show cause why the special election should not be called.

The act of the legislature which was vetoed by the governor provided that the special election should be called in event the referendum was invoked against any of the revenue producing measures that were passed by the legislature, having particular reference to the tobacco tax act, the bus bill, and the "tithing bill," the latter requiring that self-sustaining state activities pay ten per cent of their proceeds into the general fund of the state.

On all of these measures the referendum has been invoked. Since the governor had vetoed the special election bill the revenues from all these measures were considered to be cut off until after the general election in November 1926, thereby throwing the state's financial condition into a serious tangle and making a state deficit of over \$600,000 by the end of 1926 almost certain.

If the mandamus action filed here today is successful, however, the referendum measures will be voided on September 1. Should the measures not be defeated in that election the state's finances will be bolstered up accordingly. If the measures are defeated the condition will remain serious.

The bill is estimated to produce about \$500,000 for the biennium and the tobacco tax act about \$1,500,000, while the tithing act was estimated to yield about \$170,000 for the two years.

The argument in the petition filed today is on the theory that section one, article IV of the state constitution, known as the initiative and referendum amendment, provides that all elections on measures referred to the people shall be had at biennial regular general elections except when the legislative assembly shall order a special election. It is contended that concurrence of the governor is not required and that passage of the act by the legislature was sufficient in itself and the governor's signature is not required.

Egg Boat Stormed By Villagers and Stock Is Devoured

SEATTLE, June 23.—(A. P.)—A Canadian Press today from Calgary, Alberta, said that fifty-two inhabitants at Port Simpson, 1000 miles northwest of Calgary, near the Arctic circle, "stormed" the first egg boat of the season and fried eggs with one hand and ate them with the other. Many crates of eggs were reduced to empty shells in an hour.

JAP CONSULS IN CHINA ATTACKED WAR IS FEARED

Japan Threatens to Take Strong Action if China Does Not Apologize at Once—Conditions Thruout Country Become Serious Again.

By Associated Press, June 23.—Possibly serious developments in the Chinese situation were indicated today by reports in some cases not confirmed of attacks upon Japanese officers in three cities in China. In one case the stoning of a Japanese consul at Chingkiang, an apology was demanded and it was intimated Japan might take strong action if the apology were not made.

Reports from Ningpo described the anti-foreign movement as rampant and said rioters looted a foreign mess here.

Japanese consuls were reported to have been stoned both at Chingkiang and Chingkiang. A Japanese customs commissioner was reported killed and two Japanese injured at Wuchow. This report was not confirmed.

At Peking the diplomatic corps decided to open negotiations with the Chinese government to fix the responsibility for the strikes there.

At the same time the diplomatic corps sent to the Chinese foreign office a note refusing to accept responsibility for the delays in settling the Shanghai question. The note also charged the Chinese foreign office with narrating a version of the Shanghai incidents that does not accord with the facts.

Attempting to extend the anti-foreign agitation to Manila, Shanghai radicals today railed in contades in the Philippine city urging a general strike at Manila beginning June 25.

More anti-foreign boycotts were reported from various Chinese cities today. A British destroyer left for Hoihow where the British consul reported trouble.

Wall Street Report

NEW YORK, June 23.—The closing was heavy. American Can rallied sharply on short covering in the final hour. General Electric, American Water Works, Tidewater Oil and Maxwell "B" certificates sold three points or more below yesterday's final figures.

Stock prices turned reactively today but trading was in relatively light volume. There was a widespread belief that the reaction was a natural correction of an over-bought condition. Total sales approximated 950,000 shares.

His Fate Will Be Decided Tomorrow



William D. Shepherd (indicated by arrow), alleged "germ murderer" of William McClintock, his millionaire ward, is shown listening calmly to prosecution testimony in the courtroom in Chicago. The jury, chosen after weeks of effort, is seen in the background.

MOROCCO ISSUE CAUSES A FIGHT CH. OF DEPUTIES

PARIS, June 23.—(A. P.)—Today's session of the chamber of deputies considering the Moroccan question broke up in a free-for-all fight when the white-haired Colonel Picot, deputy of the right bloc, rushed to the rostrum and slugged the communist deputy, Doriot, squarely in the face as the latter was attacking the French government.

Deputy Doriot staggered, but clinched with his assailant. Communists from the left and nationalists from the right came climbing up the steps of the rostrum until 25 deputies were there, milling around, wrestling and hitting each other wildly. They surged in the open space below the rostrum and it was ten minutes before the ushers could break up the various fights and President of the Chamber Herriot could adjourn the session.

With folded arms, Premier Painleve and Foreign Minister Briand watched the fight.

Before the disturbances started Premier Painleve had commenced a speech on the Moroccan situation. He said France must present a solid front in Morocco.

"If we took the least initiative toward peace negotiations," he said, "our action would be interpreted as weakness and make our situation more difficult."

PAID \$2000 TO HAVE WIFE KILLED, BUT SHE LIVED

KANSAS CITY, Mo., June 23.—(A. P.)—The Kansas City Journal today prints a copyright story detailing a confession of Charles B. Davies, prominent Concordia, Kas., resident, that he hired a Kansas City gunman to slay his wife in order to obtain her property and of his subsequent blackmailing by gunmen and their associates when the attempt at murder failed.

Davies and seven Kansas City men who were alleged to have been involved in the plot against Mrs. Davies were charged with assault with intent to kill in charges filed last night at Concordia.

ENGINE TROUBLE FORCED N. POLE PLANE TO LAND IN FIRST ROUND

Amundsen Party Made Forced Landing in Arctic, According to First A. P. Report Allowed Thru By Norway Aero Club.

KINGS BAY, Spitzbergen, Saturday, June 20.—(A. P.) (Delayed) The lost airplane of the Amundsen-Ellsworth expedition by this time probably has been crushed by the ice in which it was left fast and parts of it may eventually drift westward and be cast up somewhere on the Greenland coast.

This is the view taken by the members of the Amundsen party who returned here Thursday in their remaining plane.

Nobody was hurt but the party had to move quickly and abandon everything it could not carry in the way of food and equipment and dash for safety. They were separated by some distance from the other plane, the occupants of which were unable to see them.

In crossing new ice in the attempted salvage work that followed Lief Dietrichson, pilot, and Oskar Omdahl, mechanic, broke through into the water and were rescued with great difficulty, mainly by the heroic efforts of Lincoln Ellsworth, companion explorer with Amundsen in the expedition. Omdahl was pretty far gone when he was pulled from the water.

This is the first dispatch from the Associated Press staff representative at Kings Bay that the press agent of the Norwegian Aero club which controls the transmission facilities from Spitzbergen, has permitted to come through since Amundsen's return.

The "Daily" Bank Robbery

SHILLERSBURG, Wis., June 23.—(A. P.)—Robbers entered this town about 1 a. m. today, wrecked the vault in the First National bank and escaped with an undetermined amount of cash and securities after shooting up the town. In the mists approved wild West manner, it is believed the loot was not more than \$10,000.

TROON, Scotland, June 23.—(A. P.)—Eighty-one golfers here have qualified for the British open championship, among them being the trio from the United States, Joe Kirkwood, Mac Donald Smith and Jim Barnes, who returned cards of 153, 150 and 155, respectively, for the 26 holes qualifying play. The championship, 72 holes medal play, will be played at Prestwick Thursday and Friday.

CHANDLER EGAN WINS EIGHT UP IN FIRST ROUND

TACOMA COUNTRY CLUB, TACOMA, June 23.—Dr. O. F. Willing, amateur champion, Portland Waverly club, started out today in the first 18 holes of the 36 hole play of the first round in the Pacific Northwest Golf association amateur event at the Tacoma Country club by defeating his opponent, Walter Favaorgue of Aberdeen, one up. H. Chandler Egan, Medford, Ore., finished eight up on Bobby Vaughn, Tacoma; Leo Stell, Seattle, and A. Kyle, Portland, came in even; Chuck Hunter, Tacoma, two up on G. Shaw; Frank Dolph of Portland, five up on H. G. Thompson of Vancouver.

BASEBALL SCORES

National	R.	H.	E.
At New York	8	13	3
Brooklyn	3	9	3
New York	5	6	0
Batteries: Vance and Deberry; Bentley, Huntzinger, Wisner and Gowdy.			
Second game.	R.	H.	E.
Brooklyn	5	10	5
New York	8	12	1
Batteries: Ehrhardt, Green and Taylor; MacQuillan, Dean and Snyder, Gowdy.			
At Boston	R.	H.	E.
Philadelphia	7	9	1
Boston	3	9	2
Batteries: Ring and Wilson; Barnes, Marquard, Yaryan, Ryan and Gibson.			
Second game.	R.	H.	E.
Philadelphia	9	16	1
Boston	7	11	2
Batteries: Carlson, Couch and Henline; Graham, Ryan, Genewick and Gibson.			
At Chicago	R.	H.	E.
Cincinnati	5	10	1
Chicago	6	14	0
Batteries: Donohue, May, Hillmiller and Kruger; Cooper and Gonzales.			
Pittsburgh-St. Louis path.			
American	R.	H.	E.
Boston	2	6	3
Philadelphia	2	8	1
Batteries: Quinn and Pleinich; Harris, Rome and Cochrane.			
At Washington	R.	H.	E.
New York	1	6	0
Washington	8	14	0
Batteries: Shocker, Ferguson and Bengough; Ruether, Marberry and Ruel.			

Daily Report on the Crime Wave

CHICAGO, June 23.—Drastic action against gunmen and robbers was today by police executives here today as they investigated the slaying yesterday of Patrolman Patrick McGovern, shot down by three men who escaped with \$5000 carried by a messenger McGovern was escorting. He was the sixth policeman to fall in two weeks.

George Haney, the messenger, was held after a search of his home revealed letters from men with police records. Police recalled Haney was kidnaped last November and robbed of \$4000 and two years ago \$15,000 was stolen from a safe in the theater which employed him.

Electricity Fails; Prince Dances As Guests Hold Candles

JOHANNESBURG, South Africa, June 23.—(A. P.)—The Prince of Wales ushered in his 31st birthday in the small hours of this morning dancing to the light of candles and matches held by other guests at a party given by the British Empire Service league. The emergency form of lighting was necessitated when the electricity failed for half an hour.

PRESIDENT FOR TAX REDUCTION AND ECONOMY

Chief Executive Denies That Economy Talk Hurts Business — U. S. Surplus of \$200,000,000 Is Predicted — Federal Encroachments in States Deplored.

WASHINGTON, June 23.—(A. P.)—An administration tax program to reduce the present tax burden by \$300,000,000 has virtually been completed for submission to congress next fall.

That agreement has been reached on most of the major features of the program was revealed after a conference today between Secretary Mellon and Chairman Green of the house ways and means committee. The two were said to be in accord except on the question of repealing estate taxes.

WASHINGTON, June 23.—(A. P.) A promise that he will recommend further reduction of taxes to congress at the December session was made last night by President Coolidge in an address at the semi-annual budget meeting.

He predicted a surplus of \$200,000,000 at the end of the fiscal year June 30, and estimated that the surplus for the coming fiscal year would approximate \$290,000,000.

Admitting there was little prospect for several years at least, of cutting government expenditures below three billion dollars annually, Mr. Coolidge said the outlay for the current fiscal year would total \$3,025,000,000, exclusive of money applied to reduction of the public debt and operation of the postal service.

It is his desire, he added, to hold expenditures for the coming year, including the amount applied on debt reduction but excluding the postal service, within \$2,375,000,000, or \$125,000,000, he said, less than estimated comparable expenditures for this year.

STATE ASKS DEATH FOR SHEPHERD

In Address to Jur., State Attorney Demanded Penalty of Death for W. D. Shepherd—Defendant On Witness Stand Denies Crime—State Refuses to Cross-Examine Him.

CHICAGO, June 23.—(A. P.)—In almost the first words of its opening address to the jury the state demanded the death penalty for William D. Shepherd, accused of the murder of William McClintock.

"It is up to you, gentlemen of the jury, to fix the punishment in this case, 14 years to life imprisonment, life imprisonment or death," said George E. Gorman, first assistant state's attorney.

"We contend, however, that this murder was so brutal that there is but one penalty which would be proper and that is the death penalty."

Mrs. Shepherd burst into tears when Gorman said that she had been used in Shepherd's plan to obtain the McClintock fortune.

It was her first display of emotion since the trial started. She was hidden from the jury by a huge column.

Mr. Gorman had not concluded his argument when at 4:28 P. M. court adjourned until 10 A. M. tomorrow.

CHICAGO, June 23.—(A. P.)—William Darling Shepherd took the witness stand today to strike the chief blow in his defense of the charges that he used typhoid bacilli to slay his millionaire foster-son, William Nelson McClintock.

A crowded room of spectators who had fought for admission to this day of days of the five weeks of the trial strained forward tensely as Shepherd was called.

A great mass of a man, wide and of stocky build, curly iron grey hair, his face chalky white with his prison pallor, Shepherd ambled leisurely to the witness box.

"Did you murder Billy McClintock?" asked William Scott Stewart, Shepherd's chief counsel, after the usual identifying questions.

U. S. A. DEBT DEMANDS MAKING FRANCE FEEL FRIENDLY TO GERMANY

PARIS, June 23.—(A. P.) It was officially announced today that French operations for the evacuation of the Ruhr will begin within a short time. The announcement was made after the council of ministers approved the measures taken by the Painleve government for the execution of France's engagement concerning the Ruhr evacuation.

It was explained later that this means the evacuation of Essen and the fulfillment by the Painleve gov-

ernment of the engagements of the preceding Herriot government to evacuate the Ruhr territory by August 15 to the line of Oberhausen, Mauthausen and Kettwig.

Apparently the political tension between Germany and France has been greatly relieved during the last few weeks. A French parliamentary, explaining the situation said: "Germany is the only country in the world which is not asking France for something just now."