

The Weather

Prediction Partly Cloudy and a probable shower. Maximum yesterday 99 Minimum today 54

MEDFORD MAIL TRIBUNE

Weather Year Ago

Maximum 94 Minimum 50

Daily—Twenty-four Year Weekly—Fifty-four Year

MEDFORD, OREGON, SATURDAY, JULY 11, 1925

NO. 95

DAM BROKEN BY TREMBLOR 2 DROWNED

2 Children Washed Away When Earthquake Breaks Silver Dyke Dam Near Great Falls Mountain—3 Homes Washed Away—Creeks Overflow Banks.

GREAT FALLS, Mont., July 11.—(A. P.)—An earthquake during the last three weeks are believed responsible for the breaking of the Silver Dyke dam at the Silver Dyke mine 70 miles south of here. Last night which resulted in the death of two children, wrecked three homes and damaged property to the extent of \$15,000.

GREAT FALLS, Mont., July 11.—(A. P.)—Searching parties early today still were seeking the bodies of two children swept to their death shortly before midnight last night when the dam at the Silver Dyke mine 70 miles south of here, gave way. Mr. and Mrs. Merrill Ricker, parents of the victims and one other child, escaped when the fifteen foot wall of water and mud hurled down the coulee leading into Carpenter creek by climbing up the side of a mass of debris which had been rolled up by the flood.

Three houses in the valley below the dam were destroyed, according to the messages. A store room and pumping station owned by the mining company were wrecked. Two or three other houses were in the path of the flood, and their fate is not known definitely.

Hampered by the destruction wrought by the flood searchers have been able to make little progress.

GIVE FINAL DECREE IN DOHENY CASE

LOS ANGELES, Cal., July 11.—(A. P.)—Final decree confirming reversion of the Elk Hills naval reserve oil lease by the government to Edward L. Doheny interests was handed down today by Judge Paul J. McCormack. The final decree orders the Pan American Petroleum company to pay to the government \$383,031 for oil lease and also to pay court costs which it was said amount to \$500,000. The decree held that the government had to pay the defendants \$10,417,448 expended by them in developing the Elk Hills property under the lease and in constructing the Pearl Harbor storage tanks. Likewise the defendants were ordered to pay the government approximately \$10,800,000, the value of the oil taken from the ground under the leases.

PINCHOT BEHOLDS A NEW MENACE

DENVER, Colo., July 11.—(A. P.)—Governor Pinchot of Pennsylvania in a formal statement issued to the press here today warned the west that an attempt to dismember the United States forest service is now being prepared at Washington. "I warn the western friends of the forest service," he said, "to be ready to meet that attack during the coming session of congress, as I intend to be ready. The national forests have rendered, are rendering and will render to great service to the people of the west and of the nation; they are too essential to be tinkered with."

Caillaux Closes. PARIS, July 11.—(A. P.)—Finance Minister Caillaux was defeated in the chamber of deputies by a vote of 261 to 263 when he opposed repeal of the tax on business turnovers.

FORD'S OFFER FOR U. S. SHIPS BEATS OTHERS BY BIG MARGIN

WASHINGTON, July 11.—(A. P.)—Henry Ford has formally entered the bidding for the 200 vessels offered for sale by the shipping board for scrapping with an offer described by Chairman O'Connor as "way over" that of the Boston Iron & Metal company of Baltimore, the best previous bid submitted. The Detroit manufacturer's tender

Revival Meeting at Herrin, Ill., Results In 350 Conversions

HERRIN, Ill., July 11.—(A. P.)—More than 350 persons have "hit the trail" in the revival meeting of Howard S. Williams, lay evangelist of Hattiesburg, Miss., which closes here tomorrow. "Dozens of people are speaking who have not recognized one another for some time," said Mr. Williams, who is credited with "saying" Herrin.

S. MATHER SEES PAVING STARTED IN CRATER LAKE

Director of National Parks Outlines Plan For Improvement, Enlargement of Crater Lake National Park—Quarrel Avoided.

A program for the enlargement and improvement of Crater Lake National Park was outlined before a group of representative Medford citizens at the Elks club here last night by Stephen A. Mather, director of the National Park Service, upon his return from his first visit to Diamond Lake following an inspection of Crater Lake park. "Starting today, said Mr. Mather, the paving of the roads in Crater National Park began, and with the expenditure of \$239,000, this season will mark the disappearance of dusty roads in the park and the construction of a system of paved highways, wide enough for two-way traffic, which will be agreed to by the motor tourist. Work has been started simultaneously at the Medford and Klamath entrances and with the good roads already constructed to the park borders, by the state and counties, Crater Lake by the close of the season will have one of the best systems of permanent highways of any national park in the country.

"It was very favorably impressed with Diamond Lake and the country surrounding it, and it is my hope to have this area included in the park area. We do not intend to fight with the forest service over this matter, but work in cooperation with them. A committee has been recently formed in Washington to pass upon problems of this sort. I have every confidence the matter will be settled satisfactorily to both the park and forest service, as well as the people of Oregon. I want Crater National Park to be a better balanced park, a park which will hold the tourist longer, and give him more opportunity for recreation and sight seeing. I believe this is what the people want."

The meeting was very informal. Mr. Mather had prepared a statement, but lighting a cigar, merely talked along in a conversational way, touching upon every phase of the subject of national parks in which he is so interested, and to the development of which he has given so much of his money and time. He congratulated Jackson county upon having such good roads to the park and said he was amazed to be able to make the trip from the lake to Medford in three hours when it used to take the better part of a day. He stressed the need of eliminating dust, and H. L. Walker called attention to the fact that the matter of paving the road to the park had been advanced by Jackson county a number of times, and that action was now up to the state highway commission. The importance of providing for the motor camper as well as the hotel tourist was brought out by the speaker and he commended Supt. Thomson and R. W. Price, proprietor of the Crater Lake Lodge for their efforts along these lines.

Among important developments in the future Mr. Mather mentioned national park museums, nature guides and the placing of telescopes on the rim so visitors could be brought close to the many points of scenic interest. Immediately following the meeting Mr. Mather left by train for California.

WOMEN JURORS IN HALL TRIAL CREATE SCENE

San Quentin Bandit to Hang But Miss Larimer Maintains "Not True Verdict" —Favored Life Sentence —Misunderstood Law.

SACRAMENTO, Cal., July 11.—(A. P.)—The jury in the case of Floyd Hall, slayer and bandit, returned to the courtroom this morning after being out for 20 hours with a verdict of guilty of murder in the first degree without recommendation, which means that he will be sentenced to hang.

The jury agreed that Hall was guilty early in the deliberations but two women and one man held out for a recommendation for life imprisonment. This morning the jury returned and the foreman presented a verdict of guilty of murder in the first degree for the killing of Harry J. Litzberg here. When the jury was polled Miss Gertrude Larimer said, with the others, that it was her verdict but indicated she did not know in giving that verdict the law would fix the punishment at death automatically.

While defense attorneys objected, to Superior Judge C. O. Busick accepting the verdict, the court ruled it was a verdict and accepted it. Judge Busick will pronounce the death sentence next Thursday. The defense will appeal.

After the jury had been dismissed Miss Larimer and Mrs. Harriett C. Clark, jurors, gave out statements in which they said they would not have voted "guilty" had they known the absence of the jury recommendation would have meant death. Miss Larimer was on the verge of a nervous breakdown after the trial as a result of the long hours of debate in the juryroom. She sobbed and declared "that is not the true verdict."

Hall was the partner of Joe Tanko in the murder of Chief of Police Meehan of San Bruno, for which both were sent to San Quentin for life. After their escape they came to Sacramento the day of the Litzberg murder. The merchant was shot down in his store. This was followed by a sensational chase through Sacramento, Placer and Nevada counties, the wounding of Clyde Nung, a Sacramento policeman who attempted to catch them, and numerous holdups by the pair in their wild flight. Hall was caught under a bed in a rooming house here after an unidentified convict who had helped him secret himself informed the police. The trail of Tanko was lost.

FAKE PROMOTERS NIPPED IN BUD

OAKLAND, Cal., July 11.—(A. P.)—Evidence that the three backers of a supposedly fictitious \$200,000,000 merger, who are now under arrest here, also sold large quantities of their stock in Los Angeles, Portland, Seattle, Minneapolis, Milwaukee and Detroit is in the hands of the police here. The men are E. P. Davis, president; Edward L. Reeves, vice-president, and C. E. Peacock, general manager of the National Patent Egg Case company.

The police are investigating evidence that the men sold approximately \$300,000 worth of stock in the suspected merger in the San Francisco bay region.

Former Assemblyman Jake Croze, invested to the extent of \$6500, the police said, but became suspicious.

WIND BLOWS ICE IN M'MILLAN'S PATH

WASHINGTON, July 11.—(A. P.)—The MacMillan Arctic expedition left Honolulu, Labrador, at 2:30 o'clock yesterday morning.

A radio message to the National Geographical society reported the departure. "We spent the day behind Cape Harnigan, passing through Windy Tickle. Commander MacMillan and Engineer Jaynes went to Jack Lane's to get supplies cached there in return from his expedition. "Conditions today outside Cape Harnigan seem excellent but sea breeze is blowing ice toward our path to the north. Reinartz shot the first seal. Important scientific specimens are being secured. All well. MacMillan."

Flu Epidemic in Alaska. JUNEAU, Alaska, July 11.—An influenza epidemic, similar to that in 1919, when hundreds of Indians died, has broken out in Indian fishing villages on the Kuskokwim Bay.

Darrow and Colby in Dayton



Prosecution and defense lawyers in the Scopes "ape trial" already are in Dayton, Tenn., preparing for the legal battle which will have wide world attention. Left to right: John Randolph Neal, chief counsel for the defense and two of his distinguished aides, Bainbridge Colby and Clarence Darrow, are seen on Dayton's Main Street.

BLACK AMAZONS COLLEGE GRAD RESPONSIBLE FOR RIFFIANS VIGOR GET A THRILL

SYRACUSE, N. Y., Is Startled By Another Franks Case —Phillip Knapp, 27, College Beau Brummel and Aviator, Slays Taxi Man.

MINNEOLA, N. Y., July 11.—Having committed murder to get the superthrill of his justice career, in the opinion of authorities, Phillip Knapp, 27 years old, ex-college Beau Brummel, deserter from the army aviation corps and wrecker of women's hearts, is being sought by the police.

Like the murder of Bobby Franks in Chicago in which the finding of a pair of glasses in a sweater led to the intellectual slayer's capture, Knapp's carelessness started the hunt for him. Knapp is accused for his victim, a modest, trusting man, Louis Panella, Hemstead taxicab driver, and father of two children. Searchers stumbled over a foot protruding from the ruins of the old Camp Mills base hospital near here July 4.

Panella disappeared the previous night. That same day Knapp had obtained a three-day leave. Knapp, in a note said he had made up his mind to kill because he had exhausted every other means to get a "kick" out of life. The note was found in his locker. It was addressed to his father, William K. Knapp, Syracuse, N. Y., engineer and to the commander of his observation squadron. Knapp battled natives in the South American wilds. His skull was crushed so badly by a steel plate was inserted. He sailed the south Pacific. He said he tried everything, thrilling automobile racing, accidents and airplane crashes.

"Booting proved too tame," he wrote. "Anything was welcome that endangered life."

Partly cloudy and probable showers. The relief promised by the weather prediction issued for Sunday, following a maximum of 93 yesterday, which was four degrees less than Thursday's maximum. This morning's minimum was 54.

Daily Report on the Crime Wave

NEW YORK, July 10.—(A. P.)—Two men held up the office of Burnett, Robinson and company in Fifth avenue at 45th street today and escaped with diamonds and other goods valued at \$20,000. Police believed the robbers were the men who shot and killed a jeweler in the same building several days ago.

NEW YORK, July 11.—(A. P.)—With few exceptions, prices in the stock market were narrow and generally inconsequential. United States Steel Iron Pipe was hammered down over thirteen points to 139, but subsequent short covering carried it back to around 146. Dodge Brothers common which established a new peak just under 29, held firm around that price. Jordan Motors, Atlantic Refining, General Baking and Foundation company sold down two points or more. The closing was irregular. Total sales approximately 400,000 shares.

Detroit Klan Will Meet to Consider Menace of Negro

DETROIT, July 11.—For the third time in three weeks, negroes and whites clashed last night in an exclusive white residential district. A family of five negroes and two negro roomers moved into the neighborhood yesterday and last night hundreds of whites gathered and stormed the place. The negroes opened fire on the crowd and seriously wounded a white boy. The police dispersed the crowd. Posters were left behind announcing a mass meeting of the Ku Klux Klan on July 25.

OIL KING MAY DIE POOR MAN FRIENDS CLAIM

NEW YORK, July 11.—(A. P.)—Sale of John D. Rockefeller's four homes to his son John D. Rockefeller, Jr., is announced, but vigorous denial is made that the purchase is to avoid heavy inheritance taxes which would be levied if the son were to come into possession of the homes after the father's death.

The properties involved are the 200 acre estate at Pocantico Hills, Tarrytown, N. Y., town house in New York City, country estate at Lakewood, N. J., and winter home at Ormond Beach Fla.

At the office of Ivy L. Lee, counselor of public relations for the Rockefeller family, it was stated yesterday: "The price paid in round figures for the four pieces of property was more than \$3,000,000. The property was not sold to evade the inheritance tax or the gift tax, as suggested. The money was paid in cash."

The transactions were announced when a deed was discovered on file at White Plains for conveyance of the Pocantico Hills property. It was executed last Tuesday, the day before the elder Rockefeller's 88th birthday. Transfer tax stamps amounting to \$1,725.50 showed that the value put on the property was \$1,732,500, the tax being at the rate of one dollar per thousand.

The elder Rockefeller has been gradually abandoning responsibilities in recent years. He sold his Cleveland property, including the Forest Hills estate to his son several years ago and his public and private gifts in recent years indicate that he is much less wealthy than he was at the peak of his fortune.

At one time his wealth was estimated at a billion dollars but since then he has given half a billion to charity and various institutions and made large gifts to his children and grand children.

He retains the right to occupy any of the houses figuring in the latest transactions. Had the properties been willed, Mr. Rockefeller's estate, after his death, would have had to pay a forty per cent federal tax, plus state taxes in New York and New Jersey.

Yakima, Wash., July 11.—Fires, believed by firemen to have been of incendiary origin, destroyed the Northern Pacific railway station and two fruit warehouses at Buena, 20 miles south of here, early this morning. The blaze, which started shortly before midnight, was under control at 2:30 this morning after causing an estimated loss of \$75,000.

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PUT POISON IN THE SUGAR TO KILL JANITORS AT STANFORD UNIVERSITY

STANFORD UNIVERSITY, Cal., July 11.—(A. P.)—Stanford university authorities announced today that a quantity of quick acting poison in powder form was found last night in the sugar bowls on the tables in the janitors' dining room on the university campus. The discovery was made as the janitors, 26 in number, were about to eat their evening meal and before anyone had used the sugar.

The poison was analyzed in the chemical laboratory of the university and the Santa Clara county sheriff's office was notified. Police investigators characterized the poison attempt as "a crude job" and said that it was probably the work of some disgruntled employe. The janitors are obtained through the American Building Maintenance company of San Francisco.

APE FOES TO FIGHT EXPERTS

State Opposes Scientists On Stand—Bryan vs. Darrow In First Battle of Monkey Trial Monday—"Peerless Leader" Will Lecture In Open Air.

DAYTON, Tenn., July 11.—(A. P.)—Prosecution counsel in the Scopes case held that admission of expert testimony of scientists and theologians would convert the trial of the Dayton biology instructor into a joint debate on science and religion.

The purpose of the defense—announced yesterday in the first day of the trial which is testing the Tennessee law against teaching evolution in public schools—will be fought out before Judge Johnston Monday when arguments of contending sides will be presented to the court.

In the absence of court sessions today, because of the adjournment of the Ohio county tribunal from Friday afternoon until Monday morning, members of the prosecution's corps of attorneys protested that they sought only a decision on the issue of the alleged violation of the statute. The state is preparing today to oppose the move to put the experts on the stand with every means at its command, according to the declaration of Attorney General A. T. Stewart.

Clarence Darrow, in announcing the defense plan of placing biologists and geologists on the stand, asked the court's indulgence in granting time in which they might be brought to Dayton.

Lawyers for both parties to the lawsuit employed the day out of court to hold conferences in which they were working out details of the fight which will come Monday. The general expectation is that Darrow, for John T. Scopes, and William Jennings Bryan, assisting the state of Tennessee will be pitted against each other in the argument over the admissibility of expert testimony.

In the absence of an official schedule the chief event on the calendar here today was a steamboat race on the Tennessee river in which newspaper reporters covering the evolution proceedings were to be guests of the Chattanooga chamber of commerce.

Scopes and his father will be other guests on the excursion which will start at 3 o'clock and continue for two or three hours. The boat landing is several miles from Dayton.

While Dr. John R. Neal, senior Scopus counsel, his client and associate steaming down the Tennessee, General Stewart and his aides will continue their series of conferences.

The Dayton Ministers' association, upon the occasion, expects a great throng to attend the address tomorrow afternoon of William Jennings Bryan, who will speak at the open air auditorium arranged on the court house lawn. The subject of the fundamentalist champion has been announced as "He calleth thee."

Meanwhile the jury of twelve who will be called on to determine the issue of this trial in the Rhea county court were spending the day at their accustomed vacations under the court administration to avoid assemblies and public gatherings and to engage in no discussion of the Scopes case. Only two of the jurors reside in Dayton.

COURTROOM, DAYTON, Tenn., July 11.—(A. P.)

During the first conference of the attorneys on both sides of the Scopes case in court here today, the question of admission of scientific testimony as competent was discussed, the conference following a tentative inquiry from Clarence Darrow as to the position of the prosecution on this question.

Attorneys for the state informed defense counsel that they would contest the introduction of extraneous evidence, insisting that scientific evidence in the case would be incompetent. The question would probably be decided only after argument in court, it was indicated. Attorney General A. T. Stewart and former Attorney General Stewart.

(Continued on Page 82)