

Table with weather predictions: Fair, Maximum 92, Minimum 52

Table with weather data for the year ago: Maximum 91, Minimum 51

Daily—Twenty-four hours. Weekly—Fifty-four hours.

MEDFORD, OREGON, MONDAY, JULY 13, 1925

NO. 96

MOB FORCES JAPS FROM TOLEDO ORE.

Agitator Waving Stars and Stripes, Leads Mob On Spruce Mill Employing Japanese Workers—Orientals Expelled Without Bloodshed—Railroad Fare Provided.

TOLEDO, Ore., July 13.—(A. P.) Five men are under arrest and will appear for preliminary hearing today on charges of participating in a riot as a result of forcible expulsion Sunday of approximately 35 Japanese who were working in the Pacific Spruce corporation mill here.

The Japanese were loaded into automobiles, given several hundred dollars which had been collected by the crowd and sent out of the country. It was reported here today that the foreigners are in Corvallis.

The men under arrest are W. S. Colvin, Charles Buck, R. F. Pritchard, James Stewart, Martin Guenter. They are free today on bonds.

Today this little town is highly excited over the occurrence. Sentiment is divided among the townspeople, some of whom believe the mill should be allowed to hire the Japanese.

Leaders of the riot will be prosecuted to the fullest extent, declared E. B. Conrad, district attorney, who is to be assisted by G. McCroskey, attorney for the company.

More arrests are expected to be made today, as the sheriff's office has nearly fifty names of those who participated.

The outbreak was the result of several weeks had blood between laborers and the mill officials over employment of Japanese. After a mass meeting in the streets at which agitators urged the crowd, composed of men, women and children, to action, the mob, which was led by a man waving an American flag, marched on the mill guards.

CORVALLIS, Ore., July 13.—Twenty-four of the Japanese who were yesterday expelled from Toledo, Ore., by a mob of citizens, arrived here last night and took a train for Portland. They appeared at the station, each having been supplied with a ticket to Portland.

SALEM, Ore., July 13.—Acting in response to a request that came from County Judge C. W. James of Lincoln county and others who stated they represented the white labor element, Governor Pierce yesterday sent his secretary, W. A. Delzell, and State Labor Commissioner C. A. Gram to Toledo to investigate the causes of the deportation of Japanese laborers from Toledo Sunday.

PORTLAND, Ore., July 13.—(A. P.) Japanese laborers ousted from Toledo, Ore., yesterday, will be cared for by their countrymen in Portland until they are able to return to Toledo, or until other employment is found for them, members of the Japanese colony here said.

WASHINGTON, July 13.—(A. P.) Rates on grapes, peaches, apricots, pears, plums and cherries from California to all portions of the United States lying eastward were held to be responsible and fair today by the inter-state commerce commission.

Opening Trial With Prayer Is Opposed But Judge Is Firm

COURTROOM, DAYTON, Tenn., July 13.—(A. P.)—Customs of opening Rhea county courts with prayer may become an issue in the Scopes case here. Clarence Darrow of counsel for the defense, while he has made no formal statement in the courtroom, is known to have protested informally to Judge John T. Raulston.

PIERCE NAMES W. L. FINLEY TO REPLACE PRICE

Famous Oregon Naturalist Is Appointed Member of State Game Commission By Governor to Take Place R. W. Price Resigned.

SALEM, Ore., July 13.—William L. Finley of Jennings Lodge was today appointed by Governor Pierce as a member of the state game commission to succeed R. W. Price, who resigned about a month ago.

This is the second change on the commission to be made in recent weeks. M. H. Bauer of Corvallis having been named to succeed Ben Dorris of Eugene, who resigned. The present personnel of the board is James W. Maloney, Pendleton; Harold Clifford, Paducah; I. N. Fleishner, Portland; M. H. Bauer, Corvallis, and Mr. Finley. The Finley appointment is until February 25, 1926.

Mr. Finley is well known throughout the state as a naturalist, author and lecturer. He is best known in Oregon for his interest in the protection of wild birds and animals.

In 1911, Finley drafted the first law which created the fish and game commission in Oregon. He was the first member appointed by the governor and served as chairman of the new commission. After the commission was organized, Governor West and the four members asked Mr. Finley to take the position of state game warden and carry on the executive work of the commission.

Change Is Forecasted. Appointment of Finley by Governor Pierce today is said to forecast a reorganization of the personnel of the game protective and propagation work in Oregon. At the monthly meeting in Portland this afternoon the resignation of officials in charge will be requested, according to rumors current in official sources at the state house.

It is said that Mr. Finley will have the support of Commissioners Maloney of Pendleton and Bauer of Corvallis in any effort at reorganization, which will constitute a majority of the board. Sheriff Game Warden Burghardt is removed, E. F. Averill of Pendleton, former district game warden and now with the federal biological survey, is mentioned as his probable successor.

Charges have been filed with the governor against Superintendent of Fisheries Reickmann of Eugene and Biologist Otto Jones.

named were alleged in the complaint to be unfair as compared with the rate on apples.

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ASKS COURT TO CALL OFF APE TRIAL

Defense Moves Quashing of Indictment Against John T. Scopes, Which Is Declared to Be Indefinite and Improperly Drawn—Lawyers Clash, But Peace Restored.

COURT ROOM, DAYTON, Tenn., July 13.—(A. P.)—Discussion of a motion by the defense to quash the indictment against John T. Scopes, charged with violating the Tennessee law against the teaching of evolution theories in the public schools, occupied the morning session of court today.

Presenting the motion, John R. Neal, spoke first for the defense, followed by Arthur G. Hayes, presenting the same contention. Former Attorney General G. B. McKenzie spoke in opposition to the motion, with Sue K. Hicks, also of state counsel, making the last argument before the noon recess.

Judge Raulston, just before ordering a recess until one o'clock, said to the lawyers: "Gentlemen, the issues in this case are profound and the court does not wish to guess," adding that he would expect briefs to be filed on the motion to quash.

Mr. Neal delivered the first argument of the defense against the motion elaborating the points outlined in the motion. Mr. Neal said he regarded the claim of the defense that the religious freedom of the people was invaded by the act as the most important contention.

After a general exchange of comments from attorneys, Dudley Field Malone and Arthur Garfield Hays, the court ordered that the jury be permitted to retire.

Law Is Indefinite. Arthur G. Hays followed in speaking for the defense, applying himself at the outset to a discussion of the indefiniteness of the law, as he saw it. He devoted himself to the words "teach" and "theory" in the act of the legislature, declaring that the language is indefinite and falls short of clarity in saying how far a teacher can or cannot go. He also claimed the act is not proper under the police power of the state. He read a hypothetical statute he would have the legislature enact, prohibiting the teaching of heliocentric theory and making the punishment death.

He also asked the court to reserve his decision on the motion to quash until he had heard the evidence in the case. He suggested that the court and jurors needed to be informed on the subject of evolution, the Bible and other things.

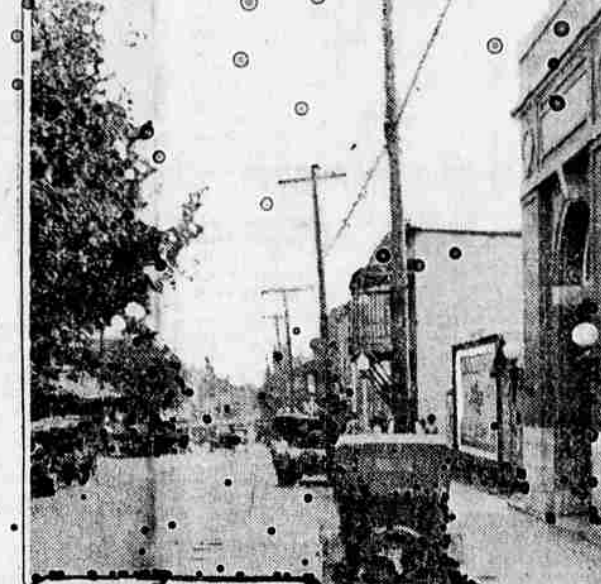
Former Attorney General Ben G. McKenzie, made the first argument for the state, defending the constitutionality of the act in question. He said religion could not be taught and neither could a doctrine.

The veteran mountaineer used many similes and colloquialisms in his plea. "Now Mr. Hays," the aged Tennessee lawyer drawled, "has dragged in his proposed statute which would hang a man on the court house lawn, and yet not nearly as much akin to the evolution law as he says we are kin to the monkey."

Mr. Malone filed an objection with the court to Mr. McKenzie's argument suggesting that it was not being restricted to the issue. He also suggested that the speaker not refer to the geographical section of the country from which the attorneys came, saying: "We are here as American citizens in a court of justice."

NEW YORK, July 13.—The closing was irregular. Most movements continued in the late trading with a fair investment demand noted for Delaware & Hudson, Western Union, Southern Railway and Sears Roebuck. Trading in today's stock market showed a marked contraction in volume with price movements lacking a definite trend.

"Dayton's Prettiest" to Watch Trial; The City's "Other" Paved Street



Dayton, Tenn., locale of the Scopes evolution trial, is proud of its fair sex and of its civic progress. It boasts two paved streets, Main and Market. Photos show Miss Amanda Knight, left, and Miss Lala Hudline, two of Dayton's prettiest, and a glimpse of Market Street.

TWO ELECTRICAL EXPERTS KILLED 3 BADLY BURNED

SEATTLE, July 13.—(A. P.)—Nels Nelson and Orlan DeWalt, electrical engineers, died late yesterday in a hospital at Snoqualmie Falls, 25 miles east of here from burns received from a short circuit in a power plant of the Snoqualmie Falls Lumber company. Three others were in a critical condition today, unable to give an account of the accident. The five men lived in Snoqualmie Falls. DeWalt who operated a plant of the Puget Sound Power and Light company in Snoqualmie Falls, went to the power plant of the lumber company with the other electrical officials to confer on some electrical changes. A few minutes later the power went off all over the big plant and when employees rushed to the basements of the power department, they found the five men so badly burned that they were scarcely recognizable.

One of the injured, Arthur Bratlie, staggered out with Robert Gray who dove into a mill pond to ease his burns. The fifth man was William Best.

Georgia Klan Sues Klan of Oklahoma For Huge Damages

PAWBUSSA, Okla., July 13.—(A. P.)—The Ku Klux Klan of Georgia brought suit in state district court here late today against the Ku Klux Klan of Oklahoma seeking \$500,000 for damages, a complete accounting of all the Oklahoma organization's finances and an injunction to bar it from using any name where "klan" is a part.

Wall Street Report

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BASEBALL SCORES

Table of baseball scores for various teams including Brooklyn, Boston, New York, Philadelphia, St. Louis, Cincinnati, Chicago, Detroit, and Philadelphia.

2 Auto Collisions On Sunday, No One Hurt

Two auto collisions occurred yesterday in the city last evening and another yesterday morning at 9 o'clock on the Crater lake highway near Reesor creek, with no serious damage resulting from either.

Passing of the Early Pioneer

SALEM, Ore., July 13.—Jefferson A. Pooler, 68 years old, a native of Marion county, who was born in the town at his home in the Auburn district east of Salem. His parents settled in the Waldo hills in 1852. Mr. Pooler suffered a paralytic stroke Saturday. He is survived by his widow, one daughter, Mrs. Clo Johnson of Marsfield; his mother, Mrs. Adeline Pooler of Salem, four sisters, Mrs. Alice Bowen and Mrs. Nettie Back of Salem; Mrs. Nellie McCallister of Pratum, and Mrs. Ida McCallister of Honolulu; and two brothers, Earl Pooler of Corvallis and Ivan Pooler of Enterprise.

May Have to Bore Wells in Lake Co. To Save Antelopes

PORTLAND, Ore., July 13.—(A. P.)—Investigation of conditions in the Lake county antelope preserve to determine whether it will be necessary to bore wells and pump water for the antelope because of water shortage, was ordered today by the state game commission.

DEATH TOLL OF HEAT AND AUTO NEAR HUNDRED

CHICAGO, July 13.—(A. P.)—Week-end fatalities throughout the country by automobile accidents, bathing mishaps and other misfortunes of pleasure seekers mounted to near a hundred mark. Forty-seven deaths from drowning and twenty-one in motor crashes were reported today from a score of states. Six died of the heat, three perished in a train explosion, four were killed by lightning and one died in an airplane accident.

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CHERRY PLANT IN SALEM BURNED

SALEM, Ore., July 13.—With a financial loss estimated at \$130,000 to \$135,000, the plant of the Cherry City Milling company, at Church and Trade streets, manufacturers of flour, breakfast foods, poultry and livestock feeds, was totally destroyed by fire last night. P. W. Geiser, manager, estimated that the loss is two-thirds covered by insurance.

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FOREST FIRE SEASON ON IN EARNEST

13 Fires Reported in Local Areas While 22 Are Burning Near Roseburg—Fires Started By Lightning—Fire knockout in Idaho Is Killed in Thunder Storm.

Yesterday 13 forest fires were reported to the State National forest service office in the federal building, nine of which were reported as burning on timberland included in the national forest and four on state timberland. The former fires are believed to have been caused by the electrical storm of Saturday night, while the latter four started from undetermined causes.

The fires burning in the national forest are as yet not under control, but at present are not of a serious nature, according to late reports received at the forest service. Their locations range from Persim, where three fires are burning, to a point a mile beyond the upper of Jackson county near the left fork of Rogue river. Two fires are burning near Huckleberry gap, one near Buzzard mine, one near Mt. Stella and another near River creek. Fire-fighting crews have been sent to each blaze and it will be only a matter of time until all are under control, it is believed.

The four state fires cover more area than the federal forest fires, and, it is said, will be much harder to put under control. The fires reported as burning near Siskiyou butte in the Evans creek district alone cover an area of 100 acres and are still spreading. The blaze burning in the Ward creek country is nearly as large, but not in such thick timber. The smoke from the fire reported in the Brownsboro district was plainly seen from the valley and has been burning since Saturday night. It covers an area more or less overgrown by brush and is not in any heavy stands of timber.

Before the nine fires burning in the national forest commenced, only seven were reported to the local forest service office all season. With the new fires now burning it is generally thought that the forest fire season has commenced, throwing into the valley the usual summer haze caused from the smoke.

22 Fires in Umpqua. ROSEBURG, Ore., July 13.—Twenty-two forest fires were reported last night and today as a result of a lightning storm early Sunday morning. It was announced today by O. C. Hansen, central dispatcher at the Umpqua national forest. The fires started by lightning began showing up last night and now one were being reported practically hourly during today. It is expected that the danger will reach over thirty. As the air is clear and the lookouts have a good view, the fires are being promptly reported. They are scattered north and south from the Rogue river divide to the Willamette divide and are principally in the south Umpqua and Quartz mountain district.

Lookout Is Killed. PRIEST RIVER, Idaho, July 13.—Paul Hlckendorfer, lookout at South Baldy ranger station, north of Priest Lake, was killed and 55 forest fires were set by the electrical storm which struck north of here Sunday. One hundred and fifty men are on the scene fighting the fires, and two airplane forest patrols, one from Spokane and one from Missoula, Mont., are on their way to map the fire areas.

Hlckendorfer was a student at the University of Idaho. His father is a physician at Cincinnati, Ohio. Young Hlckendorfer had worked two seasons in the forest service. He was sleeping on the floor of the lookout cabin, having given up his bed to visiting forest officials, when killed. No others in the cabin were injured.

HANFORD, July 13.—Reports from Changsha say a strike of coolies began there Friday and that a general strike is set for tomorrow.

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DRY LEADER DECLARES KLAMATH FALLS WORST TOWN IN OREGON

KLAMATH FALLS, Ore., July 13.—Klamath Falls was pictured as the worst town in Oregon so far as prohibition enforcement was concerned, according to W. S. Levens, state prohibition commissioner, in an interview here this morning. Mr. Levens said he had come here in response to an urgent request of his operatives who have been working here for the past two weeks.