

The Weather

Prediction Rin tonight Cooler Wednesday Maximum yesterday 97 Minimum today 49

MEDFORD MAIL TRIBUNE

Weather Year Ago Maximum 93 Minimum 50

MEDFORD, OREGON, TUESDAY, JULY 28, 1923

NO. 109

BRYAN'S LAST ADDRESS IS MADE PUBLIC

Widow of Great Commoner Gives Undelivered Speech Against Evolution to World—Bigotry Is Denied—Claim Made That Science Destroys Religion and Morality.

DAYTON, Tenn., July 28.—(A. P.)—Viewed by men from the mountains and by women whose shoulders were bowed from toll, the still form of William Jennings Bryan lay in state today in an unpretentious southern home.

Quietly and with solemn faces the east Tennessee hillmen filed into the Richard Rogers home and, stepping softly, moved into the flower-strewn front room, where reclined in his casket the body of the former secretary of state, eloquent advocate of universal peace.

They looked intently a moment at the peaceful face of him to whom they had looked—and looked not in vain—as the champion of their Christian faith. They looked upon the proud and noble features under their glazed covering and moved away, passing around a long casket of the American Legion, posted with arms folded over his olive drab breast.

DAYTON, Tenn., July 28.—(By the Associated Press.)—"The Tennessee case," an address prepared by William Jennings Bryan in defense of the Tennessee anti-evolution law which the late commoner was prevented from delivering at the Dayton trial because of an early termination of the case, was made known to the world today by Mrs. Bryan.

"A sudden decision of the defense to submit the case without argument and permit a verdict of guilty, prevented the delivery of the speech, says an introductory note to Mr. Bryan's address.

"As it presents the issues involved and the requirements of the law prohibiting the teaching in public schools of any hypothesis that makes man a descendant of any lower form of life, it is printed for the information of the general public."

Mr. Bryan declared in the address that the case was no longer local but it had assumed the proportions of a battle-royal between unbelief that attempts to speak through so-called science and the defenders of the Christian faith speaking through the legislature of Tennessee.

"It is for the jury to determine whether this attack upon Christian religion shall be permitted in the public schools of Tennessee by teachers employed by the state and paid out of the public treasury," was a conclusion drawn.

No Rights Violated Averting the "this law does not violate any rights guaranteed by any constitution to any individual," and was not an interference with freedom of conscience, Mr. Bryan indicted evolution on five broad counts the first of which "is that it disputes the truth of the Bible account of man's creation and shakes man's faith in the Bible as the Word of God."

"This indictment we prove by comparing the processes described in the evolutionary theory with the text of Genesis," he said. "It not only contradicts the Mosaic record as to the beginning of human life, but it disputes the Bible doctrine of reproduction according to kind—the greatest scientific principle known."

"Our second indictment," the address said, "is that the evolutionary hypothesis carried to its logical conclusion disputes every vital truth of the Bible. Its tendency, natural if not inevitable, is to lead those who really accept it first to agnosticism and then to atheism."

Darwin Is Refuted Here Charles Darwin was referred to to illustrate what was meant by this charge. "I did not in the least doubt the strict and literal truth of every word in the Bible," Darwin was quoted as saying of the period from 1828 to 1831. Then, said Bryan, "the

Pioneer of Roseburg Found Starving; Too Proud for Charity

ROSEBURG, Ore., July 28.—Wilbur Atkinson, 58 years old, for 40 years a resident of the county and for ten years city dweller at The Dalles, was found this morning helpless and slowly dying of starvation, at a point along the bank of the South Umpqua river within a few blocks of the heart of the city. For a month he had lain ill with disease and too sick to work, and for two weeks had tasted no food other than a clover tea which he brewed himself. His health forced him to quit heavy work 12 years ago, he said, and he remained in The Dalles, tending the city dump for ten years. Finally he was unable to do that any longer and with his savings practically gone he came to Roseburg in search of something to do. At last, almost penniless and too proud to seek help or charity, he crawled off to die. His condition finally attracted attention and he was removed this morning to the county hospital.

TRAGIC ENDS FOR NINE IN DAY IS ACCIDENT-TOLL

Series of Unusual Events—Boy of Three Chokes When Rooster Leaps at Him—Water, Weapons and Autos Contribute to List.

PORTLAND, Ore., July 28.—Nine persons met accidental death in Oregon and western Washington in the last twenty-four hours.

Steve Casale, Italian farmer, and his five year old son, Louis, were killed yesterday afternoon when their truck was struck by an O. W. R. & N. train. Philip Phillip, in the employ of Casale, another occupant of the truck, was probably fatally injured.

J. C. Wilson, Portland vacationist, was drowned in the surf at Seaside and his body has not yet been recovered.

Edward S. Hillery, another Portland resident, was drowned at Oak Grove beach on the Willamette river Monday evening.

C. C. Parks, 25, of Forest Grove, was drowned in McClure's lake, west of Rowena.

Jack Mayfield, 3, strangled to death at Bend on a carrot which he swallowed when a rooster jumped at him.

Harvey Chappel, 31, of Heppner, died from a gunshot wound the trigger of which was wound by his bunkmate, Edward Sheridan, who declared that he did not know the gun was loaded.

Agel Steaburg, 67, an employe of the Union Pacific railroad, was killed when he was crushed between two cars at Huntington, Mo.

Robert G. Fisher, 23, of Port Angeles, Wash., was drowned in Lake Sutherland when a rowboat overturned 15 feet from the shore.

NEW ENGLAND ELKS ARE HURT IN R. R. ACCIDENT

ALBUQUERQUE, N. M., July 28 (A. P.)—A number of passengers were injured, none seriously today, when a special Santa Fe train carrying New England Elks home from the Portland, Ore., annual convention of the order, was derailed at Perca, New Mexico.

Railroad reports said eight cars were derailed. About 175 Elks and their families were aboard. The wreck was due to a washout.

LOVE DUEL NOTE HELD FRAME-UP

New Evidence in California Crime Mystery Points to Double Murderer, As Writer of Hate Letter—Maid's Tale Refutes Theory.

BRAWLEY, Cal., July 28.—(By the Associated Press)—Officers uncovered evidence today which branded as false the letter purporting to have been left by John Truden, telling the story of a duel in which he killed Henry Kirk, July 18.

At the same time other evidence tended to prove that the letter found in Truden's pocket and bearing his name as a signature was not written by Truden at all.

Today's revelations went a long way in the minds of officers and investigating newspapermen towards substantiating the theory that both Kirk and Truden died at the hands of a third party and that Truden did not kill Kirk and then take his own life as outlined in the supposed death note.

The latest definite clue in the mystery which has furnished one of the most baffling problems ever recorded in southern California's criminal annals, was the statement today by a maid at the Imperial hotel of Imperial, a nearby town where both Kirk and Truden lived, that she knocked on Truden's door at eight o'clock Saturday morning, July 18, to tell him the time and that Truden replied saying that he did not wish to get up.

This declaration flatly refutes the statement in the letter purporting to have been written by Truden in which it said that he and Kirk had argued on the beach near Jacumba from before dawn that Saturday morning until nearly noon and that finally the duel was fought in which Kirk fell with a mortal wound through the body.

The entire letter found in Truden's pocket when his dead body was found propped up against a rock with a bullet hole in the temple the following Monday morning is, in the minds of a number of investigators, attributed now to the hand which is believed to have taken the lives of both Kirk and Truden.

This missive related the story of a six year old feud of unnamed origin between Kirk and Truden, of an early morning argument on the desert between the two which culminated in a duel in which Kirk was shot dead and of an agreement that the winner of the duel would commit suicide within three days.

MARY'S KIDNAPPERS READY TO MURDER STAR FOR RANSOM

LOS ANGELES, July 28.—(A. P.)—Douglas Fairbanks, motion picture star and husband of Mary Pickford was the first witness called at the afternoon session of the trial here today of three men accused of plotting to kidnap and hold Mary Pickford for ransom.

LOS ANGELES, July 28.—(A. P.)—A statement that they "would have to shoot" Mary Pickford, seven star, if she made armed resistance during an attempt to kidnap her was credited to three men in court here today by the testimony of Ben Smith, a police reporter, who declared he listened to conversation concerning an alleged plot to kidnap the actress.

Smith testified he listened to the alleged conversation by the aid of a physician's stethoscope placed under a door in a downtown hotel where the district attorney charges the men talked about the alleged affair.

Smith said he heard the men plan to disguise themselves as merry-making Shriner, whose coplance was in session here then, and take the actress from her car in an apparently jocular manner.

The men on trial are Charles Stephens, Claude Holcomb and Adrian J. Wood. The former is an automobile salesman and the two latter truck drivers.

Mary Pickford and Douglas Fairbanks were not in court during the morning session. Both have been subpoenaed and Fairbanks was expected to take the stand late today, the district attorney said.

Bryan's Daughter Arrives. DAYTON, Tenn., July 28.—(A. P.)—Mrs. Ruth Owen, daughter of William J. Bryan, joined her mother here early today.

U. S. Envoy Dies



Edgar Addison Bancroft.

TOKIO, July 28.—Edgar Addison Bancroft, American ambassador to Japan, died this (Wednesday) morning at Karuzawa.

Ambassador Bancroft was taken ill at Karuzawa, a popular mountain resort in central Japan, where he was spending the summer, about three weeks ago. At first it was thought he was suffering from indigestion but his trouble later was diagnosed as a small duodenal ulcer.

COOS MUST PAY OS WEST CLAIM IN TIMBER CASE

Ex-Governor of Oregon Wins \$19,000 Fee—Gets Four Per Cent of Taxes Paid—Services Were Lobbying, Says County Court.

SALEM, Ore., July 28.—The state supreme court held today in an opinion written by Justice Bean, with Chief Justice McBride and Justices Rand and Coshaw concurring, that Oswald West shall recover from Coos county \$19,685.66, or the full amount of his claim for attorney fees for representing the county before the public lands committee in congress relative to the Coos bay wagon road land grant.

The opinion affirms Judge H. H. Belt, who heard the case in the lower court for Lane county.

West's appearance before the congressional committee was in behalf of a bill providing for the acceptance by the United States from the Southern Oregon company of a deed of reconveyance of lands granted to the state of Oregon by the Coos bay grant act and which provided that the government should pay Coos county all taxes, costs, interests and penalties thereon.

On February 26, 1919, congress enacted a law which provided for the payment of \$400,000 to the county and a further payment of 25 per cent of the proceeds of the sales of land and timber from the granted lands in Coos county, bringing the total sum paid the county up to \$492,141.68.

Douglas county was also interested in the congressional act and West entered into an agreement with the county judges of Coos and Douglas counties whereby his compensation would be 4 per cent of the amount recovered by Coos county for taxes, or \$19,685.66. This agreement was approved by the Coos county court and a contract made with West. But when West presented the claim the court would allow him only \$1000.

It was held that the employment of West was illegal and contrary to public policy, that the services of West were lobbying services and the contract a lobbying contract. It was alleged that County Judge James Watson was recalled at an election June 3, 1915, and that when West entered into the agreement with Watson and County Judge R. W. Marsters of Douglas county, both he and Watson know the outcome of the election.

The supreme court states that the supreme court has found no error in the record and on that basis upholds the lower court.

SHENANDOAH SENDS NO FLIGHT WORD

NORFOLK, Va., July 28.—(A. P.)—Officials at the naval operating base were without information this afternoon as to the location of activities of the naval dirigible Shenandoah, which left Lakehurst last night. If messages have been sent either by the Shenandoah or the battleship Texas, which has been making experiments with the big airship, they have been in code and directed to the navy department.

Mrs. J. W. Ward was among the visitors who were in the city today from the Eagle Point district.

BRYAN FUNERAL TO BE FRIDAY IN WASHINGTON

Mrs. Bryan Selects New York Avenue Presbyterian Church for Final Services—Rev. Wallace Radcliffe, Friend of Family to Officiate.

DAYTON, Tenn., July 28.—(A. P.)—Funeral services were said over the body of William Jennings Bryan here late today.

The column formed at the steps of the humble home at 2 o'clock, where a blue Golden officer directed the movement into the hushed, but cheerful chamber of the dead.

They came from the hillside farms and towns of southeast Tennessee, these gaunt, black-coated men and dingy-clad women. Among them were Dayton folk, companions of the commoner's last days and eager supporters in his last great struggle.

Women and children outnumbered the men. Wide-eyed boys and little girls clinging to their parents' hands, tried to catch a glimpse of the now immobile features.

In the hall and at the entrance, in sailor uniform stood two young men of the Dayton guard of honor, to guide the stream of humanity entering and returning.

Across the passage from where her husband lay, Mrs. Bryan sat in her invalid's chair behind closed doors.

DAYTON, Tenn., July 28.—(A. P.)—Funeral services for William Jennings Bryan will be held in Washington in the New York Avenue Presbyterian church some time Friday, Mrs. Bryan announced today.

The Rev. Wallace Radcliffe, pastor of the church where the funeral services for the former secretary of state will be held, has been for many years a great friend of the commoner and his family.

The exact hour of the funeral will depend upon the time of the arrival in Washington of William Jennings Bryan, the younger, who with his sister, Mrs. Grace Hargreaves, is en route from California to join the widowed mother.

DAYTON, Tenn., July 28.—(A. P.)—Mrs. William Jennings Bryan went by automobile to Chattanooga this morning, accompanied by her daughter, Mrs. Ruth Owen, and Mrs. W. H. Hermin Jennings, widow of a former governor of Florida.

The party left with the announcement that the purpose was to give Mrs. Bryan an outing and to do some necessary shopping. They expected to return to Dayton before 2 o'clock when the body of Mr. Bryan will be laid in state. This was the first time Mrs. Bryan had left the Richard Rogers premises since her husband's death Sunday.

BASEBALL SCORES

Table with baseball scores for American League, National League, and other leagues.

Oregon News in Brief

SALEM, Ore., July 28 (A. P.)—Harry Bloch, a local man, was sentenced to a year in the penitentiary and to pay \$1000 fine by Circuit Judge Kelly today on a moonshining charge. This is the most severe sentence ever imposed in Marion county for violation of the liquor laws.

Milt Miller Reveals True Story Bryan's Break With Wilson

PORTLAND, Ore., July 28.—(A. P.)—Milton A. Miller of Portland, an intimate friend of the late William Jennings Bryan, revealed here today an account that Bryan gave him in 1920 of why he happened to quit the cabinet of President Wilson. It had nothing to do with the president's notes to Germany or with a glass of water, as Washington dispatches have reported, said Miller.

"The United States was having much trouble with Austria during the spring and summer of 1915," said Miller. "Austrians were causing trouble in our munitions factories and it was thought that the embassy was plotting with the German war office to cripple our plants."

DISARMAMENT CONFERENCE IS STILL FAVORED

President Coolidge Believes Consummation of European Security Pact Would Lay Foundation for Further Disarmament—Opposes Haste, However.

SWAMPSCOTT, Mass., July 28.—(A. P.)—Consummation of the European security pact in the opinion of President Coolidge would lay a foundation for further disarmament.

Published reports that the president had given up hope for another disarmament conference were denied today at the summer white house, although it was pointed out that conditions in Europe are not yet propitious for initiating a definite move for a conference.

It was stated there had been no change in the status of the proposal which thus far has been confined to preliminary and rather indefinite suggestions from the administration that it would make an effort to have the conference called whenever there appeared to be any likelihood of its going through to a successful termination.

It was reiterated at White Court that President Coolidge, although hopeful that another armament conference can be arranged, intends to bide his time until European conditions become as stable as possible. He realizes that there probably will never be perfect conditions for another conference but he believes no good could come from an effort to hold one until the situation abroad is such as to give the movement the largest possible prospect of success.

President Coolidge did not want to inject the armament question into the Dawes plan, during its formulation and thought it inadvisable to press his proposal while the plan was being put in operation and thought it advisable to hold his proposal in abeyance during the Geneva arms conference and now is of the opinion that it should await the putting into effect of the security agreement.

The security pact, in the president's opinion, in no way disposes of the armament question and the field is left open for discussion of international adjustments in which the United States would take a leading part.

N. Y. Price Women's Clothes Takes Tumble

NEW YORK, July 28.—(A. P.)—The lowest prices in many years were quoted on women's wear fabrics today by the American Woolen company, in opening its lines for the spring of 1924. The reduction followed similar price cuts announced yesterday on men's wear lines, based on lower wool, labor and other manufacturing costs.

The key number of women's fabric was priced 17 1/2¢ a yard below that of the last opening.

S. P. CONSIDERING EXTENSION OF BRANCH LINE INTO FIR TIMBER OF M'KENZIE SLOPE

BEND, Ore., July 28 (A. P.)—A Southern Pacific branch line into the fir belt of the McKenzie slope, in the Deschutes national forest, is considered probable by Robert E. Strathorn, builder of railroads, who is here with a party of Southern Pacific officials.

Strathorn said the purpose of the visit was to get data on the possible tonnage in the Klamath country. The party expects to be here four or five days. They have conferred with Deschutes national forest officials.

Other members of the party of Southern Pacific officials in Bend are: J. H. Dyer, general manager; Russell Chase, assistant chief engineer; N. H. Bogue, chief engineer of the Oregon, California and Eastern; James Miller, district freight and passenger agent, and S. C. Bruce, timber expert of the Southern Pacific.

CELL DOORS TO OPEN FOR 3 'SHIEKS'

Father of One Member of Prison Parole Board and Long Active in Rescue Work—Supreme Court Upholds Sentences—Case Is Sordid.

SALEM, Ore., July 28.—Allen McLaren, a Portland youth, whose father, W. G. McLaren, is a state prison official as a member of the state parole board, must enter the state prison as a convict to serve a maximum of four years. With him, as fellow convicts, will be Gladwin Lawbaugh and Archie Livingston, sentenced to serve five and two years respectively. The three youths were convicted before Judge J. U. Campbell in the lower court for Chackamas county of a statutory crime. The supreme court today, in an opinion written by Justice Co-shaw, affirmed the lower court, declaring that "the defendants had a fair and impartial trial, the judgment of the court was merciful and is affirmed."

Chief Justice McBride and Justices Burnett and Rand concurred. W. G. McLaren, father of Allen McLaren has for years been interested in rescue and aid work for prisoners, and has been identified prominently with organizations for that purpose.

The three youths were indicted jointly. In the appeal they assign 23 alleged errors in the lower court. Among these they complained about remarks made by District Attorney Lily Stipp, in his opening statement to the effect that he would prove Roscoe P. Hersh, attorney for McLaren, attempted to intimidate the prosecuting witness and her mother, prior to the trial. The supreme court holds that Stipp was in good faith.

The appellants also alleged error upon the court's refusal to compel the state to elect the particular offense upon which it ruled for conviction. Only one offense was charged in the indictment. There was no attempt by the state to prove actual rape by either McLaren or Livingston, but the evidence indicated that both had illicit relations with the prosecuting witness immediately after rape had been committed by Lawbaugh.

"The three were acting together," says the opinion and their conduct during the entire time they were with the young ladies was admissible for the purpose of showing the part they took in the commission of the crime charged against all three of them. It was proper to indict the defendants together and to try them together."

Other allegations of error are not upheld by the opinion.

ADULT IMMIGRANTS TO BE EDUCATED

SALEM, Ore., July 28.—The state Americanization board created by an act of 1922 legislature, was today appointed by the state board of education. The members of the commission are: L. R. Wheeler, Portland; B. F. Irvine, Portland; Justice John L. Rand, Salem; H. H. Herdman, Portland and J. A. Buchanan, Astoria.

The purpose of the commission is to advance the education and Americanization of adult immigrants in Oregon. The members of the commission receive no salaries.

The state board of education that made the appointment is composed of State School Superintendent J. A. Churchill, Governor Pierce and Secretary of State Kozier.

Rubber Drops. LONDON, July 28.—(A. P.)—Crude rubber prices which recently rose to unprecedented heights, weakened rapidly today under the pressure of speculative sales, dropping three and one-half pence for spot quotations, bringing the price to three shillings ten pence, per pound.

WOUNDED WAR VETERAN PREPARES FOR HIS 41ST OPERATION IN LAST 7 YEARS

NEW YORK, July 28.—(A. P.)—Frank Hasselberger was preparing today for his forty-first operation in the last seven years.

Army surgeons, determined to put Hasselberger together again so that he looks and feels as he did before, tore almost to pieces in France seven years ago, will operate on him again at the Walter Reed hospital in Washington next week.

Hasselberger enlisted in the regular army and was one of the first men sent to France. On September 28, 1918, the section of trench in

which he was stationed was bombed by German airplanes and he was taken to a first aid station, half blinded and apparently dead. There was a piece of steel in almost every square inch of his body.

The Walter Reed hospital surgeons decided to reconstruct what was left of Hasselberger's body. They repaired his sight completely and then devoted themselves to skin grafting operations and plastic surgery on his body. Forty operations over a period of seven years were performed on all parts of his body.