

The Weather
 Minimum today 57
 Precipitation 16
 Prediction Generally cloudy
 Maximum yesterday 78

MEDFORD MAIL TRIBUNE

Weather Year Ago
 Maximum 94
 Minimum 40

Medford, Oregon, Monday, September 14, 1925. No. 150

STANFIELD'S ARREST IS CRITICIZED

Junior Senator Released From Baker Jail On Bond, Charged With Being Drunk and Disorderly—Officer Claims U. S. Senator Hit Him in Opposing His Arrest.

BAKER, Ore., Sept. 14.—Opinion in Baker is divided today as a result of the arrest of Senator Robert N. Stanfield in a local eating place last night by S. W. Edens, member of the city police force. Friends of the senator hold the arrest was an outrage, some alleging a frameup by Stanfield's enemies. City officials take the view that the arrest was merely a routine matter and should be disposed of as any similar case. Police promptly denied the charge of frameup.

"I shall handle this case exactly as I would handle it if it involved any other man," said Frank McCulloch, city attorney today. "I shall examine witnesses and determine whether the facts warrant a complaint. If a complaint is drawn it will allege disorderly conduct only."

Date has not been set for a trial, as Senator Stanfield has already left



Senator Robt. N. Stanfield.

for Boise, Idaho, where a hearing of the senate public lands committee of which Stanfield is chairman, is scheduled. Date of the trial, if the case is pressed, will be fixed to suit the convenience of the senator. McCulloch stated today. The arrest occurred at 6 p. m. Sunday. Stanfield was struck in the face by the officer and on the side of the head by the officer's gun. He was not seriously injured. He was taken to the police station on foot. A big crowd gathered and friends put up \$50 bail. A charge of drunk and disorderly, appears on the police blotter today but it was indicated this will be changed to a charge of disorderly conduct only.

Officer Edens alleged that Stanfield resisted arrest and called him vile names, and that the blows struck were justified. He called on bystanders for assistance. He insisted Stanfield was intoxicated. Stanfield was said to have been dining with two women when the officer entered. Edens said he did not know the senator, never having seen him before.

No further action in the case is expected today, though it is indicated that Stanfield's friends believe he was unjustly arrested and will fight the charge if one is brought.

BAKER, Ore., Sept. 14.—Robert N. Stanfield, junior United States senator from Oregon, was arrested on a charge of being drunk and disorderly at a cafe here last night by City Policeman F. W. Edens. Stanfield was released on \$50 bail, but no time for his hearing was set.

(Continued on page six.)

French Tennis Star Is Called Home to Serve in the Army

FOREST HILLS, L. I., Sept. 13.—(Rene LaCoste, 19 year old Davis cup star, received a telegram from the French military authorities today ordering him back to France for compulsory military training. He was ordered to sail Wednesday.

ROGERS WANTS TO FLY PLANE ON TO HONOLULU

Commander of PN-9 Eager to Finish Air Trip As Planned—Fully Recovered From Effects of Disaster—Jollies the Newspaper Men.

HONOLULU, Sept. 14.—(A. P.)—Commander John Rodgers today told something of the sensation of being alive, drifting at sea, while picking up messages telling that agreement had been reached by searching officials that he had died when his seaplane, the PN-9 No. 1 struck the water after being forced down by lack of gasoline.

Commander Rodgers today had recovered his old spry stride, an indication that he was returning to his former alert, dynamic, physical condition. He jollied newspapermen about their enterprise in covering the flight of the PN-9 No. 1.

"You newspapermen are all right," said Captain John. "I'll give you credit. You are on the job and I like a fellow who is on the job. You made a good job of consigning me and my crew to the deep—and then you made a fine job of it when you resurrected me."

"How does it feel to be 'dead' and then come to life again?" the commander was asked.

"It's a wonderful sensation," he replied. "There's one advantage of being 'dead,' you soon learn what the world thinks of you. If what was said when you were 'dead' is favorable, then it's a pleasure to return to life."

"While we were out there sailing alone, we often heard how our plane had dropped to the bottom of the ocean. We picked up messages of condolence; we heard bitter words tossed about; we heard suggestions as to how the accident could have been prevented." He heard very clearly the radio expressions and explanations of how our plane plunged downward the moment we landed. So we decided that those who had not seen us go down knew more about it than we did—and then we resigned ourselves to the inevitable for the time being.

"Having no way to answer back, we didn't. We just came back."

"Turning to the future and his plans to finish the flight by flying his plane from the island of Kauai to Honolulu, thus completing the air cruise, Commander Rodgers said:

"The plane is not damaged. We took some of the fabric from one of the wings in order to rig up a sail and we used some woodwork as fuel when distilling water, but aside from this the ship is in perfect condition."

"Whether I will finish the flight or not depends upon conditions, but if I have my way about it, I'll finish it."

"How are you feeling?"

"Oh, all right—just fine—I make a bee-line for the hospital when I get away from you fellows," he said, addressing the reporters.

"Over at the hospital they have a valid, or at least a plausible excuse for keeping you out," he added, chuckling heartily.

Commander Rodgers, when referring to plans for the future did not indicate that he was aware of the issuance of orders directing that he return to the mainland aboard the U. S. S. California. He said he knew of no definite arrangements for his return.

"But I want to get back as quickly as possible," he said.

Commander Rodgers today told something of the sensation of being alive, drifting at sea, while picking up messages telling that agreement had been reached by searching officials that he had died when his seaplane, the PN-9 No. 1 struck the water after being forced down by lack of gasoline.

Commander Rodgers today had recovered his old spry stride, an indication that he was returning to his former alert, dynamic, physical condition. He jollied newspapermen about their enterprise in covering the flight of the PN-9 No. 1.

Commander Rodgers today had recovered his old spry stride, an indication that he was returning to his former alert, dynamic, physical condition. He jollied newspapermen about their enterprise in covering the flight of the PN-9 No. 1.

Commander Rodgers today had recovered his old spry stride, an indication that he was returning to his former alert, dynamic, physical condition. He jollied newspapermen about their enterprise in covering the flight of the PN-9 No. 1.

(Continued on page six.)

Where Fourteen Fliers Were Hurlled to Death



Wreckage of the forward section of the U. S. S. Shenandoah, which split in two in a storm over Ava, O., carrying fourteen, including its commander, Lieutenant Commander Zachary Lansdowne, to death.

ADMIRAL FIRES BROADSIDE AT STORMY PETREL

Mitchell Declared Crazy Or Suffering From Delusions of Grandeur—Unified Air Service Condemned As Bolshevism Propoganda.

WASHINGTON, Sept. 14.—(A. P.)—With the broad question of the nation's air defense organization to be turned over to a special board of inquiry the specific charges made by Colonel Mitchell, former assistant chief of the navy's air administration, have drawn a verbal broadside from Rear Admiral William A. Moffett, the navy air chief.

Replying categorically to the charges of Colonel Mitchell respecting the Shenandoah and the flight of the PN-9 No. 1, which he quoted without mentioning the author's name and of other critics of the navy air administration, Rear Admiral Moffett denied them with such emphatic characterizations as "unqualifiedly false," "absolutely false," and "unscrupulous self-seekers," and "villains."

"The most charitable way to regard these charges is that their author is of unsound mind and is suffering from delusions of grandeur," Admiral Moffett declared.

The navy air chief's statement, following on the heels of the action by President Coolidge in turning over to a special commission the broad question of air defense policy is taken to indicate that the admiral regards Colonel Mitchell's specific charges against the navy air administration as still to be dealt with.

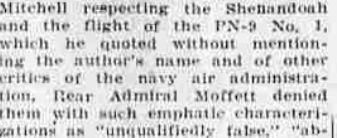
That these charges, as well as those against the army air administration, will be considered as further matter to be dealt with by the commission which will meet with the president at the White House next Thursday, is regarded by most officers as unlikely. What course the administration does propose to take with regard to them may not be definitely disclosed, however, before that time.

Bolshevism Charged.

Asserting that the proponents of a unified air service were using the "revolutionary methods of the communists," Admiral Moffett declared in his statement that charges from that quarter have done more to "retard aviation and hamper national defense than could have been accomplished by any other means."

He warned that the example of military officers "making a political appeal over the heads of congress to the people might be the opening of a wedge for military dictatorship in the United States."

Taking cognizance also of the contention of Colonel Mitchell that the "dilapidated condition" of their racing planes caused the death of two army officers entered in the Dayton air races last October, Admiral Moffett asserted that it was his duty "of a high ranking army aviator who was present" at the racing meet



Rear Admiral William A. Moffett.

WASHINGTON, Sept. 14.—(A. P.)—With the broad question of the nation's air defense organization to be turned over to a special board of inquiry the specific charges made by Colonel Mitchell, former assistant chief of the navy's air administration, have drawn a verbal broadside from Rear Admiral William A. Moffett, the navy air chief.

(Continued on page six.)

Wire Report on the Pear Market

NEW YORK, Sept. 14.—(U. S. Bureau of Markets.) 27 cans California; 1 Idaho; 3 Colorado; 3 Delaware; 21 New York; 11 Oregon; 11 Washington; 29 New York by boat, market slightly stronger. Oregon barletts 1905 boxes extra large \$4 to \$5; few low as \$3.90. Small to medium \$3.60 to 4.25; average \$3.90; fancy large \$3.35 to 3.90; medium to \$3.80 to 4.25; average \$4.02; choice, small to large \$3.35 to 4.30; average \$3.92.

CHICAGO, Sept. 14.—Pears: 26 cans California; 4 Illinois; 9 New York; 19 Oregon; 11 Washington; 4 Michigan by boat; 62 cans on track; Oregon barletts 2680 boxes, \$2.90 to 4.20; mostly \$3.45 to 3.90.

SAN FRANCISCO, Sept. 14.—(Federal State Market News Service.) Apples, boxes California gravenstein \$2.50@3; C grade \$1.75@2.25; Alexanders \$2.25@2.50. Pearmain fancy \$2.5@2.75; Bellflowers, best \$1.75@2.2. Loos, \$1.5@1.50; Washington Jonathans fancy \$2.50@2.75; Oregon gravenstein \$2.75@3.25.

Pears: Barletts \$3.0@3.25; No. 2, \$2.5@2.50 box. Lake county best \$3.25 @3.25, sixty pound box.

CHURCHES SAY OUTCOME OF DRY LAW DOUBTFUL

WASHINGTON, Sept. 14.—(A. P.)—A court of inquiry to investigate the Shenandoah disaster with Rear Admiral Hilarly P. Jones, chief of the navy's general board as its president, was appointed today by Secretary Wilbur.

At the time Mr. Wilbur was announcing the personnel of the Shenandoah board, the war department made plans to have Colonel William Mitchell, chief figure in the whole controversy, available as an expert witness for the president's special board when that body begins its inquiry.

The work of this board will supplement that of the special board of nine men appointed by President Coolidge to delve thoroughly into the broad question of the nation's air policy which has been the subject of bitter controversy since the Shenandoah disaster.

The announcement of the personnel of the board to investigate the Shenandoah crash came on the heels of a denouncement of navy critics by Rear Admiral Moffett, chief of the navy bureau of aeronautics.

Those who will serve with Admiral Jones in conducting the inquiry are Captain Frank Clarke, aide to the assistant secretary; Captain Lewis B. McBride of the navy construction corps; Commander John H. Towers, Penneyer, Captain Paul Foley, director of the experimental laboratory at Bellevue, B. C., and Lieutenant Commander R. M. Pierce.

Captain Foley will be judge advocate of the court and Lieutenant Commander Pierce will be his adviser.

It was explained at the war department that neither disciplinary proceedings which have been initiated against Colonel Mitchell nor his official duties as chief of air service in the eighth corps area would be permitted to interfere with his appearance before the special board.

The war department will make it clear to the board that it does not wish to restrict in any way the testimony Colonel Mitchell may be asked to give and that the board itself will be the only body with power to control the scope of its inquiry into the charges Colonel Mitchell has made.

The Shenandoah board will sit at Lakehurst, N. J., but no date has been set for its convening.

Admiral Jones is senior member of the general board and formerly was commander in chief of the fleet. Commander Towers is a naval aviator with 12 years experience and was commander of the trans-Atlantic flight made by the navy in 1919. Lieutenant Commander Penneyer is a naval aviator and a lighter-than-air pilot. He was the naval inspector of the dirigible Los Angeles, while it was under construction in Germany and he served also in England during the construction of the R-38 and the ZR-2. Lieutenant Commander Pierce is a lighter-than-air pilot and regarded as thoroughly familiar with the construction of the Shenandoah.

Although he had previously announced that he saw no reason why the hearing should not be open to the public, Secretary Wilbur had not reached a decision today on this point.

Daily Report on the Crime Wave

NEW YORK, Sept. 14.—(A. P.)—While scores of passersby scurried for cover before the menacing guns, five men today held up a Yellow Taxicab company machine in the lower east side and stole \$857.70 of cash and traffic which were being transferred to a bank. The robbers escaped in an automobile.

Passing of the Early Pioneer

PORTLAND, Ore., Sept. 14.—(A. P.)—Edward W. Imbler, Oregon pioneer, who crossed the plains in 1852-53, and after whom the town of Imbler in the Grande Ronde valley was named, died at his home at Adrenwald Station Saturday, aged 82.

He came to Oregon with his brother Jesse, first settling in Lane county. Later he moved to Dufur and thence to the Grande Ronde valley, when that district was first developed.

After residing there many years he moved to Corvallis, and fourteen years ago came to Portland. Funeral services will be held here Tuesday afternoon and the body will be sent to Summerville for interment.

The Noted Dead

NEW YORK, Sept. 14.—(A. P.)—Max Pam, noted lawyer, organizer with Vice President Charles G. Dawes of the Central Trust company of Illinois and founder of the University of Notre Dame school of journalism, died today at his home here from a heart attack. He was sixty years old.

ROSEBURG, Ore., Sept. 14.—Rev. D. T. Summerville, aged about 80 years and a pioneer preacher of the Methodist faith died yesterday at the home of his daughter, Mrs. W. H. Fisher, of this city. Rev. Summerville was a native of Belfast, Ireland, moving to Canada when sixteen years of age and taking up his home in the United States three years later. He was naturalized at the age of 21. He was the last member of the class of '73 of the school of theology, Northwestern university, twelve graduates of that class having preceded him to the great beyond.

(Continued on page six.)

Alma Rubens Will Marry Sheik Star And Leave Screen

LOS ANGELES, Sept. 14.—Ricardo Cortez and Alma Rubens, film actor and actress, announced here today that they would wed May 15, 1926. Miss Rubens said that she would retire from the screen after the marriage.

INQUIRY COURT APPOINTED TO PROBE TRAGDY

WASHINGTON, Sept. 14.—(A. P.)—A court of inquiry to investigate the Shenandoah disaster with Rear Admiral Hilarly P. Jones, chief of the navy's general board as its president, was appointed today by Secretary Wilbur.

Secretary Wilbur Names Rear Admiral Jones to Head Naval Court to Look Into the Shenandoah Disaster—Col. Mitchell Will Testify

WASHINGTON, Sept. 14.—(A. P.)—A court of inquiry to investigate the Shenandoah disaster with Rear Admiral Hilarly P. Jones, chief of the navy's general board as its president, was appointed today by Secretary Wilbur.

At the time Mr. Wilbur was announcing the personnel of the Shenandoah board, the war department made plans to have Colonel William Mitchell, chief figure in the whole controversy, available as an expert witness for the president's special board when that body begins its inquiry.

The work of this board will supplement that of the special board of nine men appointed by President Coolidge to delve thoroughly into the broad question of the nation's air policy which has been the subject of bitter controversy since the Shenandoah disaster.

Although he had previously announced that he saw no reason why the hearing should not be open to the public, Secretary Wilbur had not reached a decision today on this point.

COMMANDER ROGERS WOULD RATHER FLY THAN TAKE WILBUR'S JOB

WASHINGTON, Sept. 14.—(A. P.)—Commander John Rodgers of the PN-9 No. 1, appointed assistant chief of the bureau of aeronautics, advised Secretary Wilbur today that his personal preference is to remain on sea duty with airplanes.

Commander Rodgers added, however, that he would accept the position if, in the opinion of the secretary, "my services will be more valuable in the department."

The message was sent by Rodgers

ALLOWS S. P. 4 MILLION FOR LANDS

Judge Wolverton Hands Down Important Decision in O. and C. Land Grant Cases—Railroad Given Half of Its Demand—Claim Land Now Worth at Least 30 Million.

PORTLAND, Ore., Sept. 14.—United States District Judge Wolverton today allowed the Southern Pacific railroad \$4,977,478.35 in the final accounting of the old Oregon and California railroad land grant cases. The Southern Pacific had asked for some \$8,000,000 while the government conceded \$1,200,000. Decision as to whether an appeal shall be taken rests with the company's legal department in San Francisco.

The accounting suit involved 100 separate law suits that were rolled into the one brought under the provisions of the Chamberlain-Ferris act, passed by congress in 1916.

It is stated by Southern Pacific attorneys that the lands recovered by the government from the old Oregon and California land grants are now worth at least \$30,000,000, chiefly from the timber on them. The district known as the O. and C. grant is composed of two grants from the government to aid in the building of the Oregon and California railroad; the East Side grant made in 1866 and the West Side grant, made in 1870.

The lands were given to the old railroad company with two covenants—that they should be sold only to actual settlers and that they could be sold only in tracts of 160 acres each. The government charged that when the Southern Pacific secured the lands it went on the theory that it owned them outright, and proceeded to sell as it saw fit without regard to the covenants. For years it sold these lands, and the government took no action until some ten years ago. In time the railroad took these lands off the market. The government brought suit to compel the company to forfeit the lands back to the federal government upon the grounds that the railroad company had broken the covenants in the original grant.

In 1915 the United States supreme court held that the lands could not be forfeited without the railroad company receiving \$2.50 an acre for all the lands that were in the original grants, including those it had sold. The court suggested that congress amend the original act so as to have the government take back the lands and at the same time give the railroad company \$2.50 an acre to which it was entitled.

Acting upon this suggestion, the Chamberlain-Ferris act was passed which provided that the government would take back all the lands left, but pay the railroad \$2.50 an acre for all the lands that were in the grant, but charge against this gross sum all the money the company had received in connection with the sale of lands to settlers and others.

Congress also provided in this bill that a suit should be brought in federal courts to determine the amount to be paid. There were so many various claims entering into the settlement, that the accounting suit was held necessary independent of all other suits connected with the grant.

Nearly all the questions of fact were agreed upon by the attorneys before the accounting suit was started here in June, 1924.

Today's decision not only settled the amount to be paid the company but also determined the legal conclusions on many mooted points in connection with moneys paid out and received.

Judge Wolverton found that there should be 3,727,883.94 acres in the O. and C. land grant, for which \$9,319,724.85 gross should be allowed. But he charged the company with \$5,242,246.50, which made the cash award to the Southern Pacific company of \$4,977,478.35.

The government some time ago set aside \$1,000,000 cash to be paid on this suit when decided. Provision of the rest of the amount will be up to the next congress.

KANSAS SHERIFF'S SLAYER KILLED BY TRAFFIC COPS IN OKLAHOMA

ALTUS, Okla., Sept. 14.—(A. P.)—Sheriff J. L. English of Jackson county, announced today that a man killed last Thursday in a gun fight with officers on a state highway near here, had been virtually identified as Clyde G. Coen, slayer of the sheriff of Thomas county at Colby, Kas., and of an officer at North Platt, Neb.

NORTH PLATT, Neb., Sept. 14.—Clyde C. Coen, believed to be one of the men killed at Altus, Okla., in a gun fight with officers, has been sought for several days as the com-

(Continued on page six.)