

The Weather

Prediction Generally cloudy
Maximum yesterday 67
Minimum today 29

MEDFORD MAIL TRIBUNE

Weather Year Ago
Maximum 51
Minimum 38

FOURTEEN PAGES TODAY

MEDFORD, OREGON, FRIDAY, OCTOBER 30, 1925

NO. 190

KELLEY AND WILLOS TO HANG JAN. 8

Two Convicts Sentenced by Judge Kelly for the Killing of Guard Holman—Both Protest Innocence—Claim the Trouble Was Due to Oregon Jones Losing His Head

SALEM, Ore., Oct. 30.—Ellsworth Kelley and James Willos, convicts at the state penitentiary who were implicated in the prison break of August 12 last in which two guards, John Sweeney and J. M. Holman, were killed, were today sentenced by Judge Percy R. Kelly to be hanged Friday, January 8.

Kelley and Willos were a dejected appearing pair when brought before Judge Kelly early today. They did not seem nervous, and both made rather extended statements, but both were unshaken and pale. Willos' palor was particularly noticeable because normally he is of ruddy complexion. Kelley was the first to be sentenced. Before Judge Kelly pronounced the grim words, "you shall be hanged by the neck until you are dead, and may God have mercy on your soul," he gave each man an opportunity to speak.

"I want to say," said Kelley, "that as far as the jury is concerned I have had as fair a trial as could be expected under the circumstances. But without apology I want to say I am a victim of circumstances. I did not kill Holman as the state has tried to show and in time it will be proven that I did not kill him. That's all I have to say."

Willos also said his trial had been fair. "But I am not guilty of murder in the first degree," he added. "I never harmed any man during the get away and never had the least idea of harming anyone. I am very sorry that anyone was harmed, but it was through misunderstanding. In fact I understood that no one was to be harmed, and I want to say the same thing for Jones, Murray and Kelley. I think Jones simply went wild and began shooting, making things turn out the way they did. Both Kelley and I came back to the prison without handcuffs. We said we wanted to answer the charge of first degree murder, but we did not think we would have to be hanged for it."

Will R. King, attorney for the two convicts, was given until December 28 to file a bill of exceptions preparatory to appealing the case to the supreme court. In the Murray case he has until December 5 to file a bill of exceptions.

A crowded court room heard the imposition of sentence.

The Noted Dead

SALEM, Ore., Oct. 30.—A. Fletcher Lockwood, wealthy owner of a model farm between Salem and Turner, where he and his wife had lived during the past six years, died in his sleep last night. He had not been ill. Lockwood is a nephew of Andrew Fletcher, president of the W. and A. Fletcher company, steamship outfit of Hoboken, N. J., and president of the American Locomotive works. He was born and raised in New York City and was 44 years old at his death.

He came to Portland, Ore., when a young man, lived there a number of years, then moved to the Hood River district and later to Salem. He bought a farm in a very ordinary condition here six years ago, but improved it until it was looked upon as a model. He recently completed a barn with cork floors, steel supports and with exterior finish of concrete and tile. He had planned the construction of a house. He is survived by his widow.

NEW YORK, Oct. 30.—(A. P.) An indictment against Thomas L. Miller, former alien property custodian, was returned today by the special federal grand jury which investigated payments made by his office to certain alien claims.

Others indicted included four individuals and three firms: Richard Merton, president, Metallgesellschaft; Alfred Merton, president of Metall Bank, Frankfurt-On-Main, Germany; Leopold Dubois, president Swiss Bank, Basel, Switzerland; Fitz-Zahn (Geigy), president, Societe Suisse Pour Valuers de Metaux, Basel.

Count Salin Denies He Intends to Wed M. Suzanne Lenglen

VIENNA, Oct. 30.—Count Salm would be an odd cuckoo if he let a wife of his play tennis with other men. That is one reason he gives why he is not going to marry Suzanne Lenglen. Another reason is that he is happily married to the former Millicent Rogers and is going to visit her in New York with his mother.

WORLD WARNED BY LEAGUE TO KEEP THE PEACE

League of Nations Rejoices Over Success in Balkans and Gives Notice to All Warring Nations—Woodrow Wilson Lauded by M. Briand

PARIS, Oct. 30.—(A. P.) The council of the League of Nations, hurriedly summoned on Monday last to prevent threatened hostilities between Greece and Bulgaria, adjourned today with its task accomplished. Official notification from allied military experts on the scene was present at the final meeting that the Greeks had completed their evacuation of Bulgarian soil eight hours before the time limit set by the council.

A commission of inquiry, headed by Sir Horace Rumbold, now will proceed to the spot, investigating the incidents leading up to the Greek occupation of Bulgarian territory and report its findings to the December meeting of the council. The closing of this week's session—the thirty-sixth held by the council, was marked by a moving address by Aristide Briand, the president, who declared the league's existence had been fully justified by this settlement alone.

Wilson Is Remembered In reverent tones, which thrilled his hearers, M. Briand dedicated the session just closed to the memory of Woodrow Wilson, who proposed and realized the League of Nations and of Leon Bourgeois, the French statesman, who presided over the peace conference commission which adopted the league covenant.

The members of the council went on record as insisting that all nations henceforth must follow the example of Bulgaria and Greece, submitting their disputes to the friendly offices of the league. Foreign Minister Chamberlain of Great Britain declared a threat of war anywhere would be regarded as a menace to all and that the council's handling of the Balkan dispute was an example of how it would in the future use its powers, authorized by the league covenant, for conciliation, restoration of friendly relations, removal of causes of conflict and preservation of world peace.

A notable address was made by Viscount Ishii of Japan who attributed the successful solution of the Balkan crisis to the immense influence of the security agreements negotiated at Locarno, which he declared had strengthened the league.

The Versailles treaty had not conferred true peace on the world, he continued, and to eliminate the nightmare of war which invaded all channels, the statesmen had labored indefatigably for six years. Their efforts had been crowned by the agreements of Locarno which he said, affect peace in both western and eastern Europe.

"Although Japan was only a spectator because of her geographical situation," Viscount Ishii added, "we rejoice that the pacific ideas we have disseminated in the league assembly have been incorporated in those (Locarno) treaties and hope they will serve as models for similar pacts in other parts of the world."

Greeks Pillage Towns SOFIA, Oct. 30.—(A. P.) The Sofia newspapers print columns of "eye witness" stories today charging that the withdrawal of the Greek troops from Bulgarian soil was marked by the pillage of towns.

PARDON OF WESTON IS EXPLAINED

Governor Pierce Gives His Reasons for Pardoning Man Convicted Three Times of Second Degree Murder—Calls Conviction Frame-Up Evidence Conflicting

SALEM, Ore., Oct. 30.—The full pardon granted A. J. Weston by Governor Pierce today, was based on the theory that no murder was committed and that Robert H. Krug, the dead man, was burned to death accidentally in his cabin, near Sisters, Ore., according to a statement relative to the pardon that was issued by Governor Pierce today. The governor says frankly that he does not believe the story told by George Stillwell, one of the witnesses, whom the governor refers to as a "drunken sheep herder and illicit distiller."

The governor declares his belief that Weston "has been the victim of an cold blooded frame up as was ever known in the records of western criminal procedure." "I granted a full pardon to Jack Weston after becoming thoroughly convinced that the innocent man was the victim of a frame-up," the governor says. "Special investigations have continued over a period of nearly one year. Numerous reports have been submitted to me. I have had many interviews with Jack Weston and with various other people. Some believed Weston innocent and others believed him guilty. I interviewed Stillwell at length. I read and re-read the testimony in the various trials. The verdicts of two juries convicting Weston were set aside by the supreme court. I have no doubt that the third conviction would have been treated in like manner had Weston possessed the necessary funds for perfecting an appeal."

Cigarettes Are Blamed "These exhaustive investigations have convinced me that Krug was not murdered. He was an old recluse, living in a lonely mountain cabin, with only dogs for companions. Being an inveterate cigarette smoker he often smoked in bed. Testimony shows that he frequently set fire to his bedding. "Stillwell's story, as told me, is so improbable that I do not believe it. It differed in many particulars with his stories on the witness stand. His evidence at the various trials also varied. Weston was convicted solely on the evidence of Stillwell and Wilson. I have had the careers of all three men carefully investigated. Jack Weston was for several years a well known, trusted officer of the law in central Oregon. At the time he had quite a little fortune. Simple caution, to say nothing of his high type of intelligence, would have prevented Weston from committing such an indiscreet act as to force the unwilling, drunken sheep herder and illicit distiller, Stillwell, to accompany him to that lonely mountain cabin to witness his killing of Krug. The further testimony of Wilson and Stillwell to the effect that Weston admitted, the next morning at the mill, the killing of Krug and the burning of his body is so improbable that it is ridiculous."

Testimony Conflicting "The testimony in regard to the note found in Weston's possession, varies in every trial. I do not believe that any note was taken by Weston from the Krug cabin. "The testimony shows that the only door to the cabin was off its hinges and that it was placed edgewise across the opening; that men could step over this door and that the dogs jumped over it, as it was only two and a half feet high. Stillwell's story is that Weston struck Krug over the head with a club and then choked him to death. If this story was true, the dogs naturally would have left the cabin during the struggle. Their bodies were found in the remains of the cabin. The only reasonable inference is that the dogs and their master were suffocated by the smoke while sleeping and were unable to escape.

"Stillwell and Wilson were present at the inquest where Weston served on the coroner's jury. At this inquest they remained silent. If they possessed information in regard to the death of Krug, they kept it from the public for almost two years. I do not believe their story. "No Murder Committed "It is my belief that no murder was committed, but that Weston has been the victim of an cold blooded frame-up as was ever known in the records of western criminal procedure. In the minds of the twelve jurors who debated Weston's fate for 72 hours there must have existed grave elements of doubt as evidenced by the verdict of second degree murder. "I have been governor for almost three years and this is the fourth full pardon I have issued. In every case I became convinced of the innocence of those incarcerated and acted accordingly. During my term as governor, pardons cannot be bought by money, by political prestige, by power or influence."

Carpenter Signs Up PARIS, Oct. 30.—(A. P.)—Georges Carpentier, former light-heavyweight champion of the world, today signed articles to meet Jimmy Delaney, St. Paul light-heavyweight, in a ten-round bout in California between January 15 and January 31, 1926.

Atlantic Coast line crossed 269 for a gain of more than nine points, Case Thrashing Machine and Loose Wiles Biscuit jumped about seven points and Brown Shoe, International Business Machine and Jordan Motors extended their early gains to four points or more.

The closing was strong. Atlantic coast line extended to head the list, rallying 12 1/2 points while Louisville and Nashville, another Walters road, jumped five points.

Free Now to Marry Prince Who Has Proposed 17 Times



Will the Baroness d'Erlanger, much married American woman now marry the Shah of Persia, who has, it is said, proposed to her 17 times? Unable, she says, to support him any longer at the rate of \$50,000 a year, the Baroness has had her marriage to the baron annulled in Paris. She once was the wife of Pedar Bruguiere, of the late Peter Cooper Hewitt, of Steward Deming.

2 BOOZE CARS OREGON RODEOS ARE CAPTURED NEAR ROSEBURG P. T. ASSOCIATION CONDEMNED BY

ROSEBURG, Ore., Oct. 30.—Federal prohibition officers, under the direction of A. B. Hamer, of Washington, D. C., who have been patrolling the Pacific highway north and south of Roseburg and establishing a virtual blockade for the past two days seized their quarry today when they captured C. E. King and H. W. Snider both of San Francisco, and confiscated 65 gallons of alcohol and 22 cases of gin, carried in two cars. Both men were accompanied by their wives. Following their arrest they were arraigned before United States Commissioner C. F. Hopkins, who fixed bail at \$2500 each and bound the men over to the grand jury at Portland.

Having received a tip that the booze was northbound six federal officers appeared in the city on Wednesday and commenced stopping cars from both the north and south. During the daytime only suspicious cars were stopped, but at night every car passing along the highway was forced to halt and was subjected to a thorough search. This morning about ten o'clock the two cars driven by King and Snider were stopped just south of the city limits. King's car was found to contain 65 gallons of pure alcohol, there being nine cans of five gallons capacity and twenty cans of one gallon capacity. The other machine carried ten full cases of gin and four half cases.

The liquor cargo is valued at approximately \$1500. In addition the government will confiscate the two cars, one a Dodge coupe and the other a Studebaker roadster, according to Mr. Hamer.

Wall Street Report NEW YORK, Oct. 30.—(A. P.) Speculators for the advance regained control of the price movements in today's stock market, carrying the general list to higher ground under the leadership of motors and specialties.

Public participation was again on a broad scale with trading maintained at a pace in excess of two million shares a day.

Atlantic Coast line crossed 269 for a gain of more than nine points, Case Thrashing Machine and Loose Wiles Biscuit jumped about seven points and Brown Shoe, International Business Machine and Jordan Motors extended their early gains to four points or more.

The closing was strong. Atlantic coast line extended to head the list, rallying 12 1/2 points while Louisville and Nashville, another Walters road, jumped five points.

Gains of four to nine points embraced Coca Cola, Hudson Motors and Chicago Pneumatic Tool. Sales approximated 2,300,000 shares.

Santa Barbara Is Shaken Again But No Damage Results

SANTA BARBARA, Cal., Oct. 30.—(A. P.) This city experienced a sharp earthquake at 5:20 this morning, following a little jolt at 1:45 a. m. No damage was done.

VENTURA, Cal., Oct. 30.—(A. P.) An earthquake shock of several seconds duration was felt here at 5:30 o'clock this morning.

FRANCE RECALLS SARRAIL; SYRIA IN A TURMOIL

1000 People Killed and Ten Million Dollars Damage as Result of French Firing on Damascus—U. S. Expected to File Claims

PARIS, Oct. 30.—(A. P.)—The semi-official Havas agency says that Paul Boncour, a leader of the socialist party and former minister of labor, has been asked to become French high commissioner in Syria, replacing General Sarrail. Havas says it is probable that General Sarrail will be recalled to Paris shortly to explain events in Syria. A special cabinet council to discuss the situation has been called for tonight.

PARIS, Oct. 30.—(A. P.)—General Sarrail, French high commissioner in Syria, will be invited to come to Paris and submit detailed explanations of the recent events in Syria. This decision was reached tonight at a special meeting of the cabinet to consider the Syrian situation.

CAIRO, Oct. 30.—(A. P.)—The Damascus newspaper, Omran of October 26, copies of which have been received here, says that Hassan El Karreth, believed to have been the leader of the Damascus rising of October 18 has been executed by the French, after he had given all the information in his possession.

Seven others were executed with him. The papers said the Emir Taher El Gazmir had been arrested. Omran of October 27 says that it has learned that French reinforcements estimated at 6,000 men have been landed at Beirut.

The French authorities are not permitting anyone to leave Damascus except foreigners and women. It is estimated that 15,000 persons have left the city since October 26. In its issue of October 28, Omran says that the American consul at Beirut has visited General Sarrail, the high commissioner. It is understood that the United States government has placed at his disposal \$50,000 to relieve distress.

Omran says that further executions are expected. A Beirut newspaper of October 28 says: "Some prisoners confined in the Damascus citadel endeavored to escape and attacked and killed several guards with artillery of the citadel, killing 1200 prisoners."

WASHINGTON, Oct. 30.—(A. P.) Estimates placing the property damage during the French bombardment of Damascus at \$10,000,000 and the loss of life at 1000 persons, have reached Washington but there have been no official reports of American or other foreigners among the killed or injured.

Detailed information is still awaited as to the damage done American property and it is expected formal claims will be presented in Paris when complete data is at hand.

Dutch Flyers Hop Off. ELKO, Nev., Oct. 30.—(A. P.) The Sterling expedition flyers en route from Chicago to Dutch New Guinea, left Elko at 9:50 a. m. for Reno. The expedition to continue to San Francisco today, weather conditions permitting.

EX-KLAN GOBLIN SATRTS FIGHT TO BAR OUT GIRL'S LAST STATEMENT

NOBLESVILLE, Ind., Oct. 30.—(A. P.) Moving rapidly from one high point to another, the trial of D. C. Stephenson, former Ku Klux Klan grand dragon, and two aides in connection with the murder of Madge Oberholzer of Indianapolis, today reached the stage of arguments over admission in evidence of the dying declaration of the girl, deemed by the state its most powerful weapon.

MITCHELL MAY CALL PRESIDENT

Stormy Petrel's Attorney Wants Nation's Ruler to Give His Version of Court Martial Proceedings—Prosecution to Fight Move—Mitchell, Smiling, Pleads Not Guilty

WASHINGTON, Oct. 30.—(A. P.)—The question whether Colonel William Mitchell's defense counsel will ask his court martial to subpoena President Coolidge was taken under advisement today by Representative Reid of Illinois, Colonel Mitchell's counsel. No subpoena can be issued before the court convenes Monday.

The defense also is considering the advisability of seeking a subpoena for Secretary of War Davis, since Colonel Mitchell's counsel contends that the war secretary, as well as the president, is the accused in the trial of the air officer.

Regardless of the decision of the defense in the matter of subpoenas the court martial, in the opinion of army legal officers, probably will refuse a presidential subpoena. Precedent, they say, is all against such a course. In event the court should be asked to subpoena President Coolidge, it could base a refusal on the precedent established by the general court martial which tried the judge advocate general of the army, David G. Swain, whose court martial was personally directed by President Arthur. Counsel for Colonel Mitchell devoted a large part of yesterday's session of the court martial to asking questions as to who actually ordered the air officer court martialed and Colonel Moreland, the judge advocate general, placed responsibility both on President Coolidge and Secretary Davis. Representative Reid's action in taking under advisement the question of subpoenaing these two officers of the government was based on this development.

Pleads Not Guilty. WASHINGTON, Oct. 30.—(A. P.)—Having lost every preliminary effort to halt the court martial proceedings against him, Colonel William Mitchell today pleaded not guilty to the charges against him and informed the court he was ready to stand trial.

The air officer stood smiling to answer the charges. He said "not guilty" as each of the charges and specifications were called in turn by the prosecuting officer. The plea did not deny the accuracy of the charges that the colonel had in his San Antonio statement accused his superiors of criminal and also treasonable conduct in administering the air services of the government, but merely complained a denial that his accusation constituted conduct in violation of good order and discipline, as declared in the charge.

The request for a bill of particulars was thrown out by the court after a heated argument between counsel in which Representative Reid of Illinois, representing Mitchell, declared the charges as worded by the court were "too vague."

The court's law officer held that since the charges were set out in the specifications already filed, the request of the defense should be denied. This finding the court accepted without objection from any member.

After the plea of not guilty had been entered, Mr. Reid objected that the proceedings were not according to the court manual, since the charges against the accused had not been brought in the manner fixed by the manual. This objection the court overruled.

Little progress on the trial itself was made, however, at the session today. After the prosecution had finished reading from the court manual a long list of regulations by which the proceedings are to be governed, the court recessed until Monday to permit attorneys for the prosecution and the defense to make a preliminary examination of witnesses who had arrived from Texas.

A good time will be had at the First M. E. church Saturday night.

conviction. The arguments began at the opening of the afternoon session of court. On the witness stand all forenoon was Asa J. Smith, Indianapolis attorney who testified he had drafted the dying declaration of Miss Oberholzer during her fatal illness which followed her alleged abduction and assault. Earl Gentry and Earl Klenck are co-defendants in the case with Stephenson.