

ROSEBURG NEWS-REVIEW

DOUGLAS COUNTY

An Independent Newspaper, Published for the Best Interest of the People.

ROSEBURG, OREGON, WEDNESDAY, JULY 30, 1924.

VOL. XII, NO. 119 OF THE EVENING NEWS

NEW HEAD NAMED FOR SOLDIERS HOME

PORTLAND MAN TAKE PLACE W. RIDDLE

Hendershott Gets Appointment—Reason for Change Given.

ACTIVE AUGUST 10

of Harmony Causes Change to Be Made in Management—Case of Vet Probed.

(Associated Press Leased Wire.)

EM, Ore., July 30.—M. Hendershott, today named successor to George W. Riddle, superintendent of Soldiers Home at Roseburg, the change to be effective August 10. The appointment was made on the part of Governor Pierce Jefferson Myers, state auditor, majority of the board of control, Sam A. Riddle, secretary of state, and the board of control spoke of Mr. Riddle, lack of harmony in the home and a change in management.

The action of the board followed a request by Spanish American veterans, in convention Grants Pass recently, that the case of John Riddle be thoroughly investigated. Mauerer, a Spanish American veteran, was denied access to the home, it was maintained.

Superintendent Riddle had been head of the Old Soldiers Home for three years. The appointment of Hendershott was recommended by the state department G. A. R., providing a change be found satisfactory. Mr. Hendershott is chief of staff, department of Oregon G. A. R. and has been a resident of the state for nearly 40 years.

petition, signed by inmates of the home, protesting against a change of superintendent was presented to the board of control. The board declared that request for the removal of Mr. Riddle was merely work of agitators and affairs were being conducted in a satisfactory manner.

William Monroe Hendershott, served in company C, 10th Ohio infantry in the war and claims to be a descendant of President Lincoln.

PORTLAND, Ore., Will Hendershott, appointed head of the Old Soldiers Home at Roseburg, is a member of Lincoln-Grantfield No. 3 of Portland, and has been prominent in the organization.

ROSEBURG, Ore., July 30.—The county court is considering plans for the construction of a power ferry to be used at Scottsburg on the Umpqua highway. The county will probably not have sufficient funds to build a bridge across the river at Scottsburg for several years, and for that reason it will be necessary to ferry the stream until the bridge can be constructed. The ferry which is to be built, will be 52 by 20 feet and will have deck space for six automobiles. A motor will be mounted on the rear and will furnish power for the ferry, which will be of the barge type. A small cabin will be furnished to shelter the operator and passengers during bad weather. It is expected that the boat, which will probably be built at Reedsport, will cost about \$2,000.

W. D. Riley, has been serving as ferryman at Scottsburg, and will probably be continued on the position after the new boat is secured. After travel becomes heavy over the road another man will probably be added, one to work during the daytime and the other at night.

ROSEBURG, Ore., July 30.—A decision of the Marion county circuit court overruling a demurrer against an injunction granted by the court to Walter Winslow restraining the state game commission from changing the dates of the deer season in Oregon was affirmed and the injunction made permanent in an opinion handed down by the supreme court here today.

The decision written by Justice Coshaw affirms Judge G. G. Blingum of the Marion circuit court.

After declaring that the game commission had not shown an emergency to exist such as would warrant the temporary abrogation of the state law fixing the dates, the court holds that the change made constituted the assumption of legislative power without warrant, declaring, "no case has been cited by the defendants (the game commission) supporting such a delegation of legislative power. We have been unable to find a case going to that extent. Indeed, defendants concede that the legislature cannot delegate the power to legislate conferred upon it by the constitution. It follows therefore that the circuit court did not err in overruling the demurrer."

NO RIGHT CHANGE DATE DEER SEASON

(Associated Press Leased Wire.)

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AVIATORS MAKE SHORT FLIGHT

Hop From Brough, Eng., to Kirkwall, Off Coast of Scotland.

START OF LAST LEG

Fliers in High Spirits as Planes Start Trans-Atlantic Hop for United States.

(Associated Press Leased Wire.)

KIRKWALL, Orkney Islands, Scotland, July 30.—The American around the world fliers on their way homeward, arrived here today from Brough, England, at 4:10 o'clock this afternoon.

BROUGH, England, July 30.—The American army aviators continuing their world flight, hopped off at 10:24 o'clock this morning for Kirkwall, capitol of the Orkney Islands, off the northern coast of Scotland.

Thus began the first leg of their journey over the Atlantic by way of Iceland and Greenland, to Indian Harbor, Labrador.

Kirkwall, a town of 3500 is on Houton Bay, on the northeastern side of the island of Mainland, some times called Pomona, the largest of the Orkney group. Stores of oil and gasoline await the fliers there and towboats and repairmen are ready in case they are needed.

The six men were all in the best of health and spirits, and confident that the success which has brought them 15,000 miles on their pioneering flight, will not desert them during the last stages of their endeavor.

Before leaving the ground Lieutenant Lowell H. Smith, the flight commander, said he expected to reach Kirkwall in about six hours, and that the departure from that place would come tomorrow or Friday. There were no official ceremonies at the send off.

The weather was calm, with practically no wind and the sky somewhat overcast as the visitors in their three planes took off with the good wishes of the small crowd ringing in their ears. After describing a short circuit they headed for Flamborough Head, the promontory north of Brindlington bay, evidently intending to follow the coast northward.

The aviators arose at four o'clock and at five were at the airfield getting their machines ready.

There were no British or American officials present at the take-off. It is understood they will make their farewells to the airman at Kirkwall, where it is expected six British planes will act as an escort to their American brother airmen.

Brough is a tiny village, but practically everybody in it stood by from long before day break until the aviators finally winged away from the town where they had been such welcome guests. At least one Yorkshire farm woman was late for market today.

From the first appearance of the American fliers this morning until they disappeared across the horizon she sat on her farm wagon, an interested spectator, delighted that the international event had lifted this obscure hamlet from its accustomed slumber.

Lieutenant Smith planned to keep near the coast line in the journey northward to Kirkwall, since the pontoons which had been put on would be an embarrassment if a forced landing brought the aviators to earth instead of to the surface of the ocean.

Pressed for a statement to his countrymen, the flight commander said: "Tell them we are very anxious to see them, the quicker the better for us. We are confident we shall achieve the rest of the trip. I think we have been over rough spots already than we shall encounter here. I mean our Alaska experience and crossing the north Pacific.

Popular Comedienne in New Roles

Hoot Will "Shoot" at Pendleton

Countess Peggy Joyce in Court

(Associated Press Leased Wire.)

CHICAGO, July 30.—Rosetta and Vivian Duncan (Topsy and Eva) comedienne, in the role of prosecuting witnesses, were to resume their appearances today on the stage of an Evanston theatre for the finale in the case against the Cicero policeman charged with breaking Topsy's nose and rib July 4 when her brother was arrested for a traffic rule violation.

The list of officers includes Chief Svoboda and three patrolmen. Chief Justice Henry G. Williams, who rented the theatre invited the audience and ushered them to seats "without making a vaudeville show out of the trial."

A bundle of fresh green onions resembling a floral tribute was presented to Policeman Widlock, whose case was called first. Bouquets were tendered the sisters.

Miss Rosetta told how she remonstrated with an officer at the station where her brother was being booked and that before going into the station two officers grabbed her, twisted her arm, kicked her on the shins and hit her on the nose. A physician testified to the extent of the damage done to her nose and other witnesses supplied corroboration.

PENDLETON, Ore., July 30.—The Universal picture corporation, through Edward Sedgwick, director for the company, signed a contract today with the Pendleton Round-Up board for the filming of a motion picture play during the coming show, September 18, 19 and 20, featuring Hoot Gibson, Universal star, former Pendleton Round-Up cowboy and winner of the first all-round-cowboy championship, awarded at the first show in 1912.

Gibson and company of 40 with horses, will arrive here August 12 and make Pendleton their headquarters until after the show. The star and supporting cast will appear in Round-Up events and will not be distinguished in any way from the other performers. Besides the Round-Up picture another play will be filmed in the Blue Mountain region.

NEW YORK, July 30.—A suit against her for annulment of her marriage, a counter-suit by her for separation and testimony as a witness in the trial of a prominent lawyer for alleged bribery of a juror, figured in the affairs yesterday of Countess Gotha Morner, formerly Peggy Hopkins Joyce, show girl and former wife of two millionaires.

The countess first attracted attention in the court room when she appeared as a witness for the government in a trial of Wm. J. Fallon for the bribery of Charles W. Rendigs, in the Gregory-Durrell mail fraud case in 1922.

The countess left the spotlight of the court room through the judge's chamber to step immediately into a part that focused more attention to her than her previous role.

After she was notified of the annulment suit the countess hurried to her lawyer and immediately drew up papers for a counter suit which also asked for the recovery of \$10,000 she alleged she had spent on the count in their brief married life.

Count Morner at his club late last night stated that she had spent no money on him, that he had sacrificed his business for her, and finally had filed the suit in desperation after she had not appeared at home for over 24 hours.

The count and Peggy Joyce were married at Atlantic City a few weeks ago, coming to New York two days later.

Rumors of differences between them had been afloat for some time and these were confirmed late last night by the count, who stated that they began at the time of their marriage.

UMPQUA ROAD WORK TO START

Government Engineer Here Today Making Preliminary Arrangements.

BIG CREW IS COMING

System Used by Government Proves Economical in Projects.

J. M. Meyers, U. S. highway engineer, with the Bureau of Public Roads, arrived in Roseburg today with a party of men representing various station contractors and is preparing to start actual construction work on the North Umpqua road within the next week or ten days.

He states that a crew of about 100 men will be used, and work will continue as long as the weather will permit, or until all available funds have been expended.

The job is to be done by piece work, several station contractors being engaged on the project, each having a particular section. The work is let in small jobs, which according to government regulations shall be under \$2,500 each. This plan has been found to work out very successfully and results in much work being done at a very low cost.

Work will start at once on the section leading to the forest boundary, this part having already been surveyed and specifications prepared, and from the boundary on the plans will be procured at once. Mr. Meyers is to have engineers on the job within the next few days to prepare the grade and get out the plans and specifications, so that there may be no delay in the starting of construction.

The length of time necessary to complete the work and the amount of road to be built depend entirely upon construction conditions and the fall weather.

"I have not been over the entire project," Mr. Meyers said this morning, "and consequently am not in a position to make any estimate of what can be accomplished. I had hoped to build in to Steamboat this year, but whether or not this is possible I do not know, and cannot determine until a survey has been made and we can find out actually what must be done."

"We will build as far as we can with the money that is available. If this is a job that will permit of winter work, we will take advantage of that fact. In the winter many men are out of work, and we can obtain cheaper labor, and at the same time furnish employment for men who otherwise would be idle. If this is rock work, such as I imagine much of it will be, then we doubtless can continue working until the first of the year anyway. I understand that there is no show to be encountered, and if this is true then we probably can work during the first part of the winter."

"Our system has been found to work out very successfully. In Grant county, where he has been working, the county had a small sum of money available, and they asked for bids. They had anticipated building seven and a half miles of road with their money, the type of construction being about the same as what you have here, ten foot road with turn-outs. The bureau of public roads took up the project, when the contract was considerably over the amount of money the county had available, and we constructed almost sixteen miles of road, sixteen feet wide, with the funds, which under the contract plan would not build seven and one half miles."

"Of course, we cannot expect to repeat that record everywhere, but our effort will be to build as much road as can possibly be constructed with the funds which have been appropriated."

The bureau of public roads is entering into new contracts on this project is not specifying the amount of road to be built.

When this road was first brought before the county in an official way, the government estimated the cost from Rock Creek to the forest boundary at \$35,000. The county was asked for \$17,500, and the government agreed to build to the boundary with no more help from the county. The work proved more expensive than had been estimated, and the government agreed to build to the boundary with no more help from the county.

Mrs. W. W. Miller and Evelyn Riggs of Portland are spending a few days visiting at the home of Mr. and Mrs. T. A. Dyeinger in this city.

(Continued on page 4.)

TO TIGHTEN LAWS AGAINST DRIVERS

(Associated Press Leased Wire.)

SALEM, July 30.—Out of a total of 9,130 automobile accidents reported to police officials in the state between January 1 and June 30, 1924, there were 5,457 which resulted directly from carelessness on the part of the drivers, declared a statement prepared by Secretary of State Sam A. Koser, a copy of which is being sent to every court justice in the state charged with the duty of administering state and municipal traffic laws. The statement is the first authentic compilation of the causes of motor accidents and includes the reasons for traffic violation arrests during the six month period together with suggestions for more stringent application of the traffic laws.

Without making specific recommendations as to how such a schedule should be compiled, the report declares, "It has been suggested that through general agreement among justices of the peace, district judges and police judges or recorders, who have jurisdiction of all violations of our motor vehicle laws, within their respective districts, uniform penalties might be imposed in like fractions of the law regardless of the prominence or obscurity of the offender or the locality where the offense may be given."

He maintained that the plea of guilty prevented them from showing any state of mind as a mitigation of punishment and with his assistants continued the argument throughout the morning session, even though Judge Caverly said he would overrule the objection.

The defense told the judge that they had a right to show that mentality had figured in the circumstances of the crime, and the court indicated that he agreed with them.

The judge said, however that no opportunity remained for an offer of insanity as a legal defense and he would not permit such testimony to be introduced.

When the dispute reached a squabbling stage, Mr. Crowe said to the court: "If you hear evidence as to insanity and then sentence these men to life imprisonment and they then appeal to the supreme court I will confess error."

"I don't care what you gentlemen do with this case when I get through with it," retorted the judge.

Thomas Marshall, indictment expert for the state's attorney remarked at one stage of the argument that the defense was confusing the court.

"They want to plead insanity and call it mental responsibility," he exclaimed.

"You can call it green cheese, if you like," retorted Benjamin Bachrach of defense counsel.

Judge Caverly tried at the start of the afternoon to bring the argument to a close, but the attorneys fortified by additional research in the luncheon recess brought further arguments to his attention.

The discussion again revolved around the relation of "mental disease" to insanity and whether a degree of responsibility was a competent subject for consideration. Finally Judge Caverly allowed the state to proceed.

"Take all the time you wish," the court told the prosecutors. "Two lives are at stake here."

Judge Caverly, however, called Mr. Crowe's attention to the fact that 81 witnesses had testified for the state in order to give the court full information as to its fact. He indicated that it would be only equitable to allow similar leeway to the defense.

(Continued on page 4.)

LEGAL BATTLE STARTED OVER INSANITY PLEA

Long Argument Ensues When State's Attorney Raises Objection.

CLAIMS JURY NEEDED

Crowe Says Either Evidence of Insanity Must Be Omitted or a Jury Empanelled.

(Associated Press Leased Wire.)

CHICAGO, July 30.—The big legal fight by attorneys for Nathan Leopold, Jr., and Richard Loeb, confessed murderers of Robert Franks, to save them from the gallows, broke out in Judge John R. Caverly's court today. The engagement opened when Robert E. Crowe, state's attorney, after resting his own case, sought to shut off all testimony by defense experts relating to the mental responsibilities of the youthful defendants.

He maintained that the plea of guilty prevented them from showing any state of mind as a mitigation of punishment and with his assistants continued the argument throughout the morning session, even though Judge Caverly said he would overrule the objection.

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