

**5/16 Weather**  
Highest temperature yesterday 88  
Lowest temperature last night 54  
Forecast for southwest Oregon:  
Fair tonight and Tuesday; moderate temperature.

# ROSEBURG NEWS-REVIEW

Consolidation of The Evening News and The Roseburg Review

DOUGLAS COUNTY

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Newspaper, Published for  
the interests of the People

**DOUGLAS COUNTY**  
"The End of the  
Homeseeker's Trail"

VOL. XXVIII NO. 92 OF ROSEBURG REVIEW

ROSEBURG, NEWS-REVIEW, MONDAY, AUGUST 8, 1927.

VOL. XXVIII NO. 166 OF THE EVENING NEWS

## INCENDIARISM AGAIN STALKS TIMBER AREA

Over 15 Fires Set On  
South Umpqua

Forest Protection Bureaus  
Rush Crews to Stout's  
Creek Region.

\$600 REWARD POSTED

Trouble Had Been Expected  
Notwithstanding Ban  
Placed on Grazing  
of Livestock.

A string of from fifteen to twenty forest fires, scattered over a strip about two miles in length, was reported this morning by the Douglas county first patrol and forest service. The fires are located on Stout's Creek, a tributary of the Umpqua river, and are in the same area where last year's incendiary caused one of the worst forest conflagrations in the history of the county, burning over nearly 500 acres of virgin timber. Both of the forest protection agencies are rushing men into the area and despite the fact that low humidity today made fire fighting difficult and hazardous it was believed that the fires could be brought under control within a short time, as they were discovered early and men were available to form crews. The county and the fire patrol association are offering rewards amounting to \$600 for the apprehension of the parties guilty of starting the fires.

The officials of the forest service and county patrol have been expecting trouble from incendiary in that vicinity, where last year the malicious destruction of timber was the worst ever known in the county. The same element that was responsible last year is believed to be at work again and consequently the protection agencies were prepared to meet the situation. The lookouts have been especially alert and last night the first fire was discovered and reported shortly after midnight. They had apparently been set out just before dusk, with the idea that they would gain such headway before morning that they could not be stopped. The lookouts, however, caught the glare of one fire that began burning very brightly and reported the location. Others were reported immediately and the reports received today were that there were fifteen or twenty fires burning. They were set so closely together in many places that they burned together so that it is impossible to learn how many were actually set out.

**Organization Efficient**  
The value of efficient organization was clearly shown in this situation. Within a few hours after the first fire was spotted the forest service had 11 men at the scene and the fire patrol had 20. The fires had gained only small headway, and it was thought that it would be possible to get fire lines around them today and keep them from spreading over any great territory.

Stout's Creek, where the fires (Continued on page 3.)

## FOREST FIRES IN COLUMBIA REGION BEING CONTROLLED

PORTLAND, Ore., Aug. 8.—Low hanging fog and increased humidity along the Columbia river today aided crews fighting fires on the Washington and Oregon sides of the stream.

Fog advanced up the Columbia nearly to the Herman Creek fire on the Oregon side which started Saturday night from sparks that jumped the river. Atmospheric conditions helped 75 men control this fire. Fifteen more men were sent out today to help stamp out the blaze.

One new fire was reported today from the Columbia national forest in south central Washington. It was burning over an area half a mile long near Hungry Peak, in Lewis river territory. It was believed to have been started by lightning but held back several days by haze.

Reports from other Washington national forests, received today by district headquarters here, were favorable, indicating progress by fighters in controlling the flames. Two Oregon fires were reported under control today. One burned about 100 acres in slashing at Camp No. 5, C. H. Wheeler Logging company, in Washington county. The other covered about 150 acres in the Koster Products company workings near Vernonia. Several smaller fires in the Vernonia district are well in hand.

## Career Ended



Leonard L. Wood

Governor-General of the Philippines, who died Sunday in a hospital at Boston, Mass. Entering the United States army as a surgeon, he later became distinguished as an Indian fighter and commander of forces in Cuba during the Spanish-American war. He was military governor of Cuba until the island was turned over to its first president. He was candidate for president of the United States before the republican national convention that nominated Warren G. Harding.

## ACCIDENTS CLAIM LIVES OF FIFTEEN ON PACIFIC COAST

Automobile Wrecks, Fire,  
Drownings Take Toll  
in California and  
Washington.

(Associated Press Leased Wire.)  
SAN FRANCISCO, Aug. 8.—Fifteen persons were dead today and many more were in hospitals as a result of a series of week-end automobile accidents, drownings, and one fire on the Pacific coast.

Seattle topped the list with three dead in that immediate vicinity, while San Francisco, Berkeley, Fresno, and Spokane and Longview listed two each.

All the Seattle dead were victims of motor vehicles. They were Mrs. Florence Irving, young bride of John H. Irving, Jr., of Seattle; Albert E. Busch, 25, of Arlington, Washington, and Peter Maragonis, 11, a Spokane boy.

In Berkeley a man and woman partially identified as Mr. and Mrs. Sam Smith, of Seattle, were killed when their automobile was struck by a Southern Pacific train. Train officials said Smith, who was driving the automobile, attempted to cross the track directly in front of the cars. Trainmen denied responsibility for the accident.

In San Francisco William McBain, Jr., six-year-old was killed, and his small sister and his father and mother injured when their automobile was struck by an alleged hit-and-run driver. The other victim was Robert H. Smith, 34, a sailor, killed when he lost control of his automobile and the machine struck a power line pole. Charles Ashton, 26, and Herschel Vogelmeyer, 32, were drowned near Longview, the former while swimming in the Columbia and the latter when he fell off a log while fishing in a mill pond.

Thomas Marty, 24, of Wenatchee, Washington, and Miss Bernice Allen, 19, of Cashmere, Washington, were killed in an automobile accident near Spokane.

Henry Schreiber, 16, of Watsonville, Calif., was drowned in the San Joaquin River, while fishing about twenty miles from Fresno and Joseph E. Jenanyan, 24, of Fresno, died as the result of a broken neck, suffered while diving recently.

Melvin Nolan, 19, of San Francisco, was drowned while swimming at Capitola, and Joe Fukani was burned to death in a fire at Courtland.

SEAVIEW, Wash., Aug. 8.—Miss Agnes Hamlin, of Portland, was drowned in the surf at Seaview Sunday afternoon while bathing with a party including Mr. and Mrs. Lawrence H. Stevenson and Miss Catherine Shuler, also of Portland.

Miss Hamlin, who was unable to swim, ventured too far out. The rest of the party saw her plight when she stepped in a crab hole and started after her. Stevenson attempted to bring her through the surf but she struggled so hard that he was unable to do anything and she fought him off.

Two Oregon fires were reported under control today. One burned about 100 acres in slashing at Camp No. 5, C. H. Wheeler Logging company, in Washington county. The other covered about 150 acres in the Koster Products company workings near Vernonia. Several smaller fires in the Vernonia district are well in hand.

## GENERAL WOOD TO REST BESIDE OLD COMRADES

Ceremonies for Late Head  
of Philippines to Be  
Held at Arlington.

30 YEARS WITH ARMY

Career Begun as Surgeon  
Branches Into Fighting,  
Public Service and  
U. S. Politics.

(Associated Press Leased Wire.)  
WASHINGTON, Aug. 8.—The little plot in Arlington cemetery set aside for the brave soldiers' regiment of the Spanish-American war, tomorrow will receive the remains of the regiment's commander, Major General Leonard Wood, who died yesterday at Boston. He was 67 years of age.

At the request of his widow, the distinguished soldier and late governor-general of the Philippines, will be laid to rest beside his comrades of the stirring days of '98.

The body, accompanied from Boston by Mrs. Wood and a military escort, will arrive in Washington early in the day and, following present plans, be taken at once to Arlington for the interment ceremonies.

High officials of the war department and of the government generally will accompany the funeral cortege to the cemetery, while the military guard of honor will be augmented here by the Third Cavalry, the sixteenth artillery, a battalion of infantry, and a detachment of engineers.

General Wood returned to this country recently to report to President Coolidge and to rest. He had been operating on for hernia last January and was believed never to have fully recovered his accustomed robustness. Death came after another operation for recurrence of an old tumor ailment. He had been in the hospital only two days.

**30 Years in Army**  
General Wood was retired from the United States army in 1921, after 30 years of service. He was appointed head of the investigating committee of the Philippine Islands and later governor-general of the island.

He had a distinguished and varied career, intermingling fighting, politics and public service. The high point of his career, from the viewpoint of public interest, was in 1917, when the appointment of Pershing as commander-in-chief of the American armies in France, instead of Wood, caused a furore, and in 1920, when Warren G. Harding beat him out for the republican presidential nomination.

**Services Distinguished**  
Wood was born in Winchester, N. H., in 1860. He was graduated from Harvard as a doctor of medicine and two years later became an army surgeon. He served through Indian wars in the southwest and took an active part in the fighting, despite his medical rank.

In 1891 he was promoted from lieutenant to captain. When the Maine was sunk, he organized the first regiment of United States volunteer cavalry and went into action as colonel in May, 1898. In June he was made brigadier general and in December he was promoted to major general, temporary rank, for gallantry in action.

When the Spanish surrendered at Santiago he was made military governor of the city and later civil governor of the province. He was military governor of Cuba from 1899 until May 1902, when the republic was proclaimed.

(Continued on page 5.)

## PENDLETON JAIL BREAK FRUSTRATED

PENDLETON, Ore., Aug. 8.—A wholesale jail delivery in the Umatilla county jail was frustrated yesterday when a deputy discovered a hole in the southwest corner of the jail where two dozen bricks had been removed by the use of a sash weight. John Barnes, held on an assault and battery charge, is said to have admitted making the hole in the wall while other inmates covered the noise by unusual activities. Jack Wilson, held on a statutory charge, escaped from a deputy, and this led him to investigate.

Earlier in the day all inmates had been allowed the freedom of the jail.

The first week in the Pendleton police, according to the desk blotter, thirty-one arrests, not including traffic violations, were made during the period. Practically all of the arrests were for liquor law violations.

Sam Thackeray and Roy Cooley, of Buck Fork were in Roseburg today attending to business matters.

## PROTECTION OF CITY WATER IS AIM OF OFFICERS

More effective steps to prevent contamination of the North Umpqua river, from which Roseburg obtains its supply of drinking water are being taken today by officials of The California Oregon Power company and health authorities. Tourists, it has been learned, have been camping above the water intake and have been throwing refuse into the river, and it is feared that contamination will result. If this is allowed to continue warnings are being posted today, advising all persons along the stream above the intake that the property is protected by the state laws, and in the event these warnings are not observed prosecution will result. The territory will also be guarded, and in the event care is not taken by campers and picnickers to prevent contamination of the stream the river above the intake will be closed for a sufficient distance to insure pure water. The city's supply for domestic purposes is very close, guarded and samples are taken daily for tests to see that it is kept pure.

## ROBERT SAWYER OF BEND PRESIDENT OF STATE EDITORS

Officers Chosen at Con-  
vention Held in Bandon  
Saturday.

The final sessions of the Oregon State Editorial Convention were held at Bandon Saturday. Robert W. Sawyer was elected as president, Hal Hoss secretary, Bullett and a member of the state highway commission. Hal Hoss is a part owner of the Oregon Statesman and holds the position of private secretary to Governor Patton. He was re-elected to the office of secretary and treasurer of the editorial association.

Resolutions passed recommended a wider circulation of the smokers' code for the prevention of forest fires, the favoring of a return to second class postage rates as were in force in 1920 and to prevent the government from printing return addresses on stamped envelopes.

Regional vice-presidents were elected as follows:  
Central Oregon: Ben Liffin, The Dalles Chronicle.  
Willamette Valley: Sheldon Sackett, McMinnville Telephone Register.  
Southern Oregon: S. S. Smith, Medford Mail Tribune.  
Eastern Oregon: Frank Appleby, La Grande Observer.  
Western Oregon: L. D. Felsheim, Bandon Western World.

Following the business meeting there was a big bonfire on the beach and a very enjoyable frolic after which dancing at the Silver Spray Gardens was opened to the editors until the small hours of the morning.

The Bandon arrangements were in charge of L. D. Felsheim, editor of the Bandon World.

**AGED ROSEBURG  
LADY DIES TODAY**  
Mrs. Eva Cynthia Wright, wife of W. S. Wright and well known lady of this city, died this morning at her home in North Roseburg. She had not been in good health for some time. Mrs. Wright was born in Warren county, Pennsylvania, and was 75 years old last December 12. She had been a resident of this city since 1913 and leaves a wide circle of friends. Surviving her besides her husband are a son and daughter, Arthur Wright, of this city, and Mrs. Geo. Marsh, of Glenayre; a granddaughter, Mrs. Walter F. Cox, and two grandsons, Guy Cox and Elbert Marsh. The body has been taken to the Roseburg Undertaking company and the funeral services, in charge of M. E. Ritter, will take place Wednesday morning at 10:30 o'clock. Rev. Joseph Knott, officiating. Interment will be in the L. O. O. F. cemetery.

**FOREST OFFICIALS WILL  
TAKE LONG TRIP**  
John D. Guthrie, assistant district forester at Portland and chief of public relations, accompanied by Carl B. Neal, supervisor of the Umpqua National Forest, M. E. McDuff, supervisor of the Cascade National Forest and Guy Cordon, district attorney of Douglas county, will make a trip, starting Wednesday, that will take them over a large portion of the forest area. They will go into Bohemia and over the Willamette Divide to Diamond Lake then along the Umpqua-Rogue divide to Tillier.

## DECISION IN DOG LICENSE CASE FAVORS CITY

Authority to Impose Heavy  
Fee Is Upheld in  
Circuit Court.

CHARTER IS SUPREME

Judge Kendall Declares City  
Has Right to Kill  
Dogs If License  
Is Not Paid.

Roseburg's celebrated dog case, which has long been pending in the courts, has been settled at last in favor of the city. The controversy started when the city council passed an ordinance imposing a license of \$5 on male dogs and \$10 on females, bringing a very strong objection from the dog owners. Some of those who held the charge to be excessive banded together for a court action to prevent collection and filed an action against the city to prevent the imposing of such a heavy license fee. It was contended that the city charter did not give the city the right to impose a license in such amount, it being maintained that a license could only be imposed for regulatory purposes and not for raising revenue and that such amounts as designated by the city made the amount a tax rather than a license. In passing upon the license raised in the case Judge Kendall says:

"The main controversy presented by the demurrer in this case is, does the charter power of the city giving the council power and authority to provide a tax on dogs, the right to enforce the collection of the same and to provide for impounding and killing dogs, and also the general charter power to do all things which a city corporation can or ought to do to secure the health, peace of interest of the citizens thereof and to preserve good order therein, give the right to the city to license the keeping of dogs within the city and the right to seize, impound and destroy dogs for failure of the owners to pay such license?"

Under its charter power the city has the right to provide a tax on dogs and to enforce the collection thereof, and if necessary to impound and kill the dog for the collection of the tax. It has the further power to prevent dogs from running at large.

The city by ordinance has required the payment of an annual sum of \$5 for male dogs and \$10 for females, and has provided for impounding them to remain within the corporate limits.

The defendant contends that a tax may only be imposed and not a license; that these amounts are and represent a license and not a tax, and consequently the ordinance is void as to the dogs of the defendant.

"We must certainly admit it to be the law, and follow it in (Continued on page 2.)"

**PRUNE RAISERS OF  
CALIFORNIA TURN  
DOWN UNITY PLAN**  
(Associated Press Leased Wire.)  
SAN JOSE, Calif., Aug. 8.—With the largest crop of prunes in the history of California less than two weeks away, packers and growers are preparing to market the estimated four hundred million pound crop on a competitive basis, following the failure of the campaign to enroll 90 per cent of the independent acreage into a cooperative grower-packer merger.

Although the campaign does not officially close until Monday midnight and officers threaten the state will remain open today to receive voluntary contracts, field workers have been called in and no effort to solicit contracts for the 15,000 acres outstanding will be made.

Headquarters of the Prune Producers' association, the attempted growers cooperative, will compile the total acreage and close its doors.

The California Prune and Apple Growers' association will inaugurate a policy of competitive selling for the 1927 crop, and is reported to be preparing a schedule of price quotations to be released late in the week.

PORTLAND, Ore., Aug. 8.—Kenneth Miller, chairman of the committee of nine appointed to organize the proposed prune packers' growers cooperative association, has called a meeting to be held in the Chamber of Commerce here Thursday. All hope of effecting the organization for handling the 1927 crop is ended, but the committee proposes working to get the organization established for handling the 1928 crop.

## SENTENCE STAY REFUSED SACCO AND VANZETTI

(Associated Press Leased Wire.)  
BOSTON, Aug. 8.—Justice Sanderson of the state supreme court today denied petitions by counsel for Nicola Sacco and Bartolomeo Vanzetti for a writ of habeas corpus and a stay of execution. He also denied a petition for a writ of error.

Justice Sanderson said after giving the arguments all consideration he must deny the application for a writ of error.

"This court," he continued, "has no authority to grant a stay of sentence."

"The questions included in the petition for a writ of habeas corpus are not proper to an action for a writ of habeas corpus and are therefore dismissed."

## ENGLISH SPEAKING RACES IN COMMON BOND, DAWES SAYS

Temporary Disagreement of  
Experts at Geneva Not  
to Cause Race for  
Biggest Navy.

(Associated Press Leased Wire.)  
BUFFALO, N. Y., Aug. 8.—A span of stone and steel across the Niagara river stood today officially dedicated to the more than a century of peaceful relations between the United States and Great Britain.

Dedication ceremonies, attended by a host of dignitaries, including his younger brother, Prince George, Vice-President Charles G. Dawes, the prime ministers of Great Britain, Canada and the provinces of Ontario; Secretary of State Frank B. Kellogg, Governor Alfred E. Smith and other officials, brought to a successful culmination 17 years of effort to have the Niagara crossed at Buffalo by a vehicular bridge.

The common keynote of the speeches at the exercises took the form of a mutual British and American pledge of friendship, despite the outward clash of interests at the recent Geneva meeting over the cruiser problem.

**Unbreakable Race Bond**  
The official spokesmen of the two governments, President Kellogg and Secretary Kellogg, touched very lightly on the Geneva failure, but Vice President Charles G. Dawes, who was today the guest of dominion of Canada in Toronto, seized the opportunity to declare that the instinct of self-preservation bound the English speaking peoples together in a bond that "will never break."

Addressing himself directly to the Geneva failure, Dawes declared it was "unthinkable" that Great Britain and the United States, solemnly pledged to the principle of naval equality would enter on competitive building programs "because their experts temporarily disagree."

Vice President Dawes considers himself not a lieutenant, who "does not have to know anything" as long as his "captain" is alive.

Interviewed before he left Toronto, the vice-president dismissed questions relative to politics with "I am merely the lieutenant. As long as my captain is alive I do not have to know anything."

**RAPID CITY, Aug. 8.**—An American naval policy which would push to completion the building of 12 cruisers with 8-inch guns in addition to those already building or authorized was one of the possibilities of discussion by President Coolidge with Secretary Wilbur who arrived today as a guest of the summer White House.

Although it was before here that the president might assent to the carrying out of the original cruiser building program, it was not expected that the failure of the Geneva conference would result in a cruiser building race between Great Britain and the United States. There is no definite information here as to the number of cruisers which the administration thinks should be built but the number probably will not exceed 20, including those already provided for.

The visit of Secretary Work this week will afford an opportunity for discussion insular affairs brought to the fore by the death of Governor General Leonard Wood. Mr. Coolidge has expressed the opinion that insular affairs might be better placed under civil administration in the interior department.

Just when Mr. Coolidge will name a successor to General Wood is not known but it was expected that he would do so before leaving the Black Hills. Among the possibilities are Carl A. Thompson who made a special investigation of the Philippines for the president; Henry L. Stimson, a special envoy in the Nicaraguan peace negotiations; William Hodges, treasurer of the republican national committee and Major James F. Coupal, the White House physician, who understands the medical problems involved in the Philippines.

## INTERNATIONAL FURORE OVER SACCO-VANZETTI CASE GAINS IN VOLUME DURING WEEK-END

Demonstrations Occur In Several American  
Cities and Arrests Result—New York  
Radicals to Stage Mass Meeting;  
Strike of Miners Attempted

Police Everywhere Increase Vigilance, Guarding Both  
Buildings and Public Officials—England, France  
and Germany Scenes of Public Protests Against  
Death Penalty—Buenos Aires Unions Quit.

(Associated Press Leased Wire.)  
Demonstrations in behalf of the Nicola Sacco and Bartolomeo Vanzetti heightened in intensity over the week end in the United States, Europe and South America and even wider efforts were planned.

Radical leaders in New York promised to draw 500,000 workers from their employment tomorrow in protest against the sending of two men to the electric chair at Charleston, Mass., next Thursday morning, and in other parts of the world sympathizers of the two internationally known radicals continued plans for further demonstrations up to the final hour.

Demonstrations were staged yesterday in Paris, London, Munich and in Boston and other cities of the United States. No serious disorder occurred altho some arrests were made.

Increased police vigilance against disorder was established in the chief cities of the world. Public officials and public buildings in the United States were under special guard while in other countries extra precautions were thrown about United States representatives and American property.

**N. Y. Mobilizes Police**  
In New York Police Commissioner Warren prohibited parades but said he would permit a mass meeting in Union square, arranged for tomorrow by the Socialist party, the I. W. O. and the Sacco-Vanzetti emergency committee. Meanwhile, Commissioner Warren said the mobilization of 14,000 policemen on guard throughout the city and at a large number of public buildings and in subway and elevated line stations would continue "until further notice" and that the hunt for those responsible for the explosion in two subway stations Friday night would go on with unabated vigor.

From six to ten thousand people milled excitedly about Boston common yesterday when the police revoked speaking permits on stands where Sacco-Vanzetti sympathizers had been substituted for speakers to whom permits had been issued. One man was arrested for refusing to obey police orders to cease talking.

**Demonstrations Aboard**  
Signorina Luigia Vanzetti, sister of one of the condemned men, was chief figure in a demonstration by 5,000 people in Paris. Forbidden by authorities to stage any demonstration within the city, the crowd marched thru Bois de Vincennes carrying red flags and banners. Some slogans were banned by the police from the signs because they were considered insulting to the United States.

Several thousand Sacco-Vanzetti sympathizers marched to the American embassy in London to protest against the sentence. A World War veteran led the column seated in a copy of an electric chair and wearing a black cap over his face. "Save Sacco and Vanzetti from the electric chair," one banner said.

Railroad workers and shop employees joined a widespread labor stoppage in Buenos Aires and two new groups were called out for tomorrow.

Twenty were arrested as police dispersed a crowd of communists in front of the American consulate in Munich.

**Furore in America**  
Scattered activities against the sentence of the two men were reported in the United States.

Extra police guards remained on duty in Philadelphia while investigation was continued into the explosion that wrecked Emanuel Presbyterian church there Friday night.

A circular calling for a one-day protest strike was distributed among the United Mine workers of America, at Wilkes-Barre, Pa. Union officials said distribution was not sanctioned by their organization.

Ten men and a woman were arrested and thousands of alleged communist papers were seized in Los Angeles. Although other marked meetings of the Sacco-Vanzetti sympathizers in Chicago, police said they had 35 radicals, police under surveillance and were guarding eight prominent public officials' homes.

Defense speakers addressed a crowd of about 700 in the rear of city hall at Worcester, Mass., home of Judge Thayer, the trial judge in the case.

There was no disorder.

Several arrests for distribution of literature, one piece of which declared "The bloody decision of Governor Fuller as a challenge to labor in the entire world," were made in New Haven, Conn.

**New York Armed Camp**  
NEW YORK, Aug. 8.—Armed cars have been added to New York's police precautions against violence, pending the execution of Nicola Sacco and Bartolomeo Vanzetti in Boston Thursday morning.

The greatest police guard in the history of the department, including concentrations during the World war, patrolled New York today from the tunnels under the Hudson river to railroad yards in Queens, far at the other end of the city while authorities searched for clues to those responsible for explosions that wrecked two stations on main subway arteries of the city Friday night.

**PHILADELPHIA, Aug. 8.**—Detectives today picked up a "clue" which they said may lead to the solution of the bombing of the Emanuel Presbyterian church last Friday night. They decline to reveal the nature of the clue but said it was "red hot."

Lieutenant Jacob Gomborow, head of the detective "radical squad," expressed the belief that the threatening letter received by the Rev. Dr. Edwards Bowman, pastor of Emanuel church, "was the work of a religious fanatic and not of the bombers. Gomborow said he was confident that the bomb had been hurled by sympathizers of Sacco and Vanzetti."

Police guards still maintained today at public buildings, homes of officials, subway and trolley stations, banks and industrial and commercial establishments. An extra guard has been placed on the new Delaware river bridge between Philadelphia and Camden, N. J.

**Rich Radical Jailed**  
BOSTON, Aug. 8.—Edward Holton James, wealthy radical, today was sentenced to 90 days in jail on charges of inciting to riot and assaulting a policeman during a Sacco-Vanzetti demonstration on Boston common yesterday. James took the prison sentence rather than pay fines totalling \$75.

When arraigned before Judge Dowd in district court, James declared he refused to recognize the courts jurisdiction. He refused to rise for the reading of the complaint against him, saying he would not stand up before murderers, whether they are judges, police officers or governors.

After reading of the complaints he declined to plead.

James, who is a nephew of the (Continued on page 3.)

**JUDGE THAYER  
DENIES MOTION  
FOR NEW TRIAL**  
(Associated Press Leased Wire.)  
DORCHESTER, Mass., Aug. 8.—Judge Webster Thayer of the Massachusetts superior court today denied the motion of counsel for Nicola Sacco and Bartolomeo Vanzetti for a new trial. He based his decision on the grounds of lack of jurisdiction.

In refusing to grant a new trial, Judge Thayer quoted as authority for his ruling a supreme court decision in the Rollins case and statute of 1922 which says the motion for a new trial must be made within a year of the verdict or before sentence is passed or if a superior court justice is to have jurisdiction.

**NEW YORK, Aug. 8.**—Armed