

JURY DEBATES FATE OF ROBBER-SLAYER

Confessed Killer Weeps as He Tells Story.

MURDER INTENT DENIED

Dramatic Moments Mark Close of Trial of Soldier Who Shot Patrolman Palmer.

At an early hour last night the fate of Husted A. Walters, alleged murderer of Jerome Palmer, Portland police patrolman, was still in the hands of the jury which will decide the fate of the young Camp Lewis soldier, who on the night of November 17 shot and killed Patrolman Palmer while resisting arrest for a series of highway robberies.

Following closing arguments by prosecution and defense, the case was given to the jury at 2:30 o'clock yesterday afternoon by Circuit Judge Tucker, before whom it was tried.

As had been expected from the day of the killing, Walters made no denial of the charge that it was he who shot and killed the policeman, but throughout his testimony and in the examination of state witnesses by his counsel, the effort was made to show that it was not premeditated murder.

Although court was nearly a half hour late in adjourning, Judge Tucker advised attorneys on both sides that he would remain in call of the court in the event of a late verdict.

Argument is dramatic. District Attorney Evans, in his closing argument, pictured Walters as the wilful, malicious murderer of a courageous and unsuspecting peace officer. As he stood before the jury with the body of the dead policeman waving before them to indicate where the bullet from Walters' weapon pierced the patrolman's star and then entered the heart on its message of death, Walters slumped into his seat and wept bitterly.

"It is not for you to think of the glorious uniform which this man wears today in this courtroom as he comes cringing before you for mercy, but you must remember the dastardly, murderous wretch who dares to wear it," he advised the jurors.

Then, step by step, the prosecutor took up the testimony of Walters and his youthful companion, Private John A. Tillman, on the night of November 17, when they crowded a night of daring street robberies with the slaying of Patrolman Palmer.

Extreme Penalty Asked. John A. Jeffery, retained by relatives of the dead policeman, opened the argument for the prosecution with a careful recital of the evidence, and a demand that Walters pay the extreme penalty for his admitted killing of Patrolman Palmer.

Defense Counsel Mulkey, who defended Walters under appointment by the court, devoted most of his argument to a plea for second degree murder, or for a recommendation for life imprisonment rather than the gallows. He dwelt at length upon the fact that Walters was a young man, that he had been drinking freely on the morning and afternoon of the robbery and killing, and argued that the slaying of the policeman could not have been a premeditated and deliberate murder. At no time during the course of his argument did he ask for an acquittal.

Walters was the only witness in his own defense. He told of how he and Private Walters had left their regiment at Camp Lewis without leave and come to Portland. On direct examination he sought to convey the impression that his 17-year-old companion had led him into the street robberies which culminated in the killing of the policeman, Palmer. He denied that when he and Walters were accosted by Patrolman Palmer and he shot him, he was seeking to escape arrest.

"I just meant to shoot in the air to scare them," he testified as tears coursed down his cheeks. "I had no reason to kill him."

At this point District Attorney Evans compelled Walters to look at the dead policeman's casket, where the bullet had entered the star. With one brief glance at the bloodstained uniform, Walters sank back in his chair and sobbed. It was several moments before he had regained sufficient composure to proceed with his cross-examination.

In nearly every particular the testimony of Walters was identical to that of young Tillman with the exception that Walters denied he had deliberately aimed his weapon at Patrolman Palmer, or that he had told Tillman that he would never submit to arrest. Tillman also denied that Walters had been drinking, and several policemen, taking the stand in rebuttal for prosecution, denied there was any odor of liquor upon his breath at the time of his arrest.

It was likewise brought out in the cross-examination by Mr. Evans that Walters had used every precaution possible to shift the blame upon the shoulders of young Tillman in case they were caught. A monogrammed watch taken from one robbery victim, which would have been evidence of guilt, was given into the possession of Tillman by Walters. The revolver which Walters had taken from Camp Lewis was sold, while he used Tillman's gun. In case the gun had been dropped in flight, army records would have shown that the gun had belonged to Tillman instead of Walters. It was also admitted by the defendant under cross-examination that he had given Tillman his overcoat to wear following the robberies in order to escape possible detection.

COUPLE SECRETLY WED

Cottage Grove Girl Has Been Bride Since September 5.

COTTAGE GROVE, Or., Dec. 22.—(Special.)—Mary Ellen Brown—rather, Mrs. Floyd L. Hunter—of this city was married on September 5 at Goldendale, Wash. but since has continued her position as manager here for the Pacific Telephone & Telegraph company, while Hunter has continued on the job for the same company at The Dalles, recently moving to Arlington. The secret was revealed a few days ago when Mrs. Hunter brought Hunter here to introduce him to her parents, Mr. and Mrs. Tom Brown.

In a recent issue of a Eugene paper the wedding was announced as having just taken place in Eugene, and Eugene pastor was reported as having officiated.

WOMEN'S POLITICAL POWER AROUSES SENATE DEBATE

Legislator Says His Colleagues Privately Wish Sex in Tophet While Protecting Zeal in Their Service.

THE OREGONIAN NEWS BUREAU, Washington, Dec. 22.—The growth of bureaucracy and the increasing influence of women came in for interesting and entertaining comment when Senator Thomas of Colorado took the floor to tell why he could not support the Shepard-Towner maternal welfare bill.

The Colorado senator, admitted among all his fellows for his honesty and candor, charged that the country had gone mad in the creation of government bureaus, and hinted that some of his colleagues were only supporting this bill because of the tremendous influence wielded by women since they have been given the ballot.

"I think I have received 25 or 30 letters and telegrams since yesterday morning from the good women of my state calling upon me to support this measure," he said, "and I am satisfied that the women of the other states have been just as busy with their representatives here as mine have been with me. It is pretty hard to refuse a good woman, a conscientious woman, and it is equally hard to refuse a good and conscientious man."

"I know how hard it is, therefore while we wish them in Tophet, we are in the cloakroom, we are going to sing their praises here upon the floor and tell them how anxious we have been to vote for this or that similar legislation. Consequently the bill will pass."

"Mr. President, before I take up the bill I wish to refer you to one or two reasons which have been assigned for it by the senator from Texas. He tells us that he has letters from 30 governors showing that they are for it. I said a few minutes ago that state officials were apt at these days, no matter what the politics, to be for anything to get money out of the United States treasury for local expenditure. I am surprised that the senator from Texas should be a member of every state. What is a poor governor going to do when the representatives of 30 women's associations come to his office, gather around him with pleas and with tears, with flattery and with threats, and with suggestions regarding his ability and the need for re-electing him—what is he going to do? In 999 cases out of 1000 he will not only write a letter to the governor but he will also sign it."

Speaking of the constant tendency toward bureaucracy, he said: "Why, the hotels here are crowded with bureaucrats. They are not being urged upon the commission properly."

In addition to planning to send representatives to each meeting, the chamber requested the county court to send John R. Penland, county roadmaster, to each meeting.

Campaign for Homes Urged. WALLA WALLA, Wash., Dec. 22.—(Special.)—Mayor Frank F. Smith, speaking at the weekly meeting of the realty board, urged the starting of an "own-your-own-home" campaign in Walla Walla. He asked the co-operation of the realty men in this movement.

Two Couple Obtain Licenses. TACOMA, Wash., Dec. 22.—(Special.)—Marriage licenses were issued today to Frank J. Williams, New York city, and Luella B. Miller, Centralia, Wash., and to Mike W. Thomas and Margaret Bosarth, both of Aberdeen, Wash.

Salmon Packers, Washington Legislators Confer.

Salmon packers and a couple of members of the Washington legislature held a conference in Portland a few days ago and discussed purses.

Result of the conference is that the matter will be referred to the joint legislative committee in January or February and the Washington legislature will be asked to enact a law against the use of purse seines and trolling.

No other fishing gear was under consideration. The purse-seine is opposed by some packers and by officers who contend that they will destroy the industry, for they scoop in the little and immature fish as well as the large salmon.

At present, purse-seiners operate out of Puget Sound and used as a field of their endeavors the waters off the Oregon coast, outside of the three-mile limit. The Washington legislature may be asked to refuse licenses for purse-seines.

There is now in incubation a plan to have the United States and British Columbia get together for the elimination of purse-seines. The boats can be handled the same as regular coasters and if no clearance papers are issued they cannot leave port, or they do sneak out to sea and make a catch, they cannot bring the fish into any port on the Pacific coast.

DECISIONS HANDLED DOWN

Supreme Court Passes on Six Eastern Oregon Cases.

SALMON, Or., Dec. 22.—(Special.)—Six minor opinions, affecting as many cases appealed from eastern Oregon counties, were handed down by the Oregon supreme court Tuesday:

Percy M. Johnson vs. Homestead-Iron Dyeing company, appeal from Baker county; action for alleged breach of contract. Opinion by Justice Brown. Justice Gustave Anderson dissented.

Edward O. Wilson vs. North Powder Milling & Mercantile company, et al., appeal from Union county; suit to foreclose mortgage. Opinion by Justice John. Justice J. W. Knowles affirmed.

John A. Richmond vs. W. B. White, et al., appeal from Gilliam county; suit for accounting. Opinion by Justice Harris. Appeal from decree of Judge D. R. Parker, dismissed.

First National Bank of Vale vs. Wilbur A. Halliday, appellant; appeal from Malheur county; suit to set aside mortgage. Opinion by Justice Burnett. Appeal from decree of Judge Dalton Higgins, dismissed.

E. P. Clary vs. R. S. Eccles and R. S. Eccles, appellants; appeal from Baker county; action to collect money alleged due on note. Opinion by Justice Burnett. Justice Gustave Anderson affirmed.

First National Bank of Elgin, appellant, vs. J. D. Casey, et al.; appeal from Union county; suit to collect money on note. Opinion by Justice Burnett. Justice J. W. Knowles affirmed.

Efforts to Be Made to Get Better Share of Road Work.

ALBANY, Or., Dec. 22.—(Special.)—Representatives of the Albany chamber of commerce hereafter will attend every meeting of the state highway commission as the result of action taken at the regular weekly luncheon of the chamber yesterday. A discussion of road matters at the meeting brought out the charge that Linn county has not received its share of road improvement work and it was felt that the community was perhaps at fault in that the county's claims

stantly filled with men, sometimes with women, whose business at great expense brings them to Washington to secure the arrangement of some matter of entirely domestic concern, which is now represented by a bureaucrat, clothed with the authority of federal law, and exercising his duties through a red-tape process that generally means from two to six months before anything can be accomplished. What has not yet been bureaucratized will be before the nation in five years' time. I think I am safe in asserting that one-half of the bills enacted into law by congress require for their operation and administration a bureau or a board or a commission, and once it is created it is immortal.

Only eight of the 48 states so far have failed to adopt some form of mothers' pensions, according to a statement of the children's bureau. These laws, it is pointed out, recognize the principle that children should not be taken away from their mothers because of poverty alone. In a statement relative to mothers' pension laws, the children's bureau said: "The rapid extension of the mothers' pension movement indicates the general belief of the country in the paramount value of home life and a mother's care. However, although large grants have been made in many of the states, the amounts in general are far too small. The increased cost of living has not been met, and the full purpose of the laws is not attained. Some of the states are now making careful studies of increased cost so that allowances may respond to the higher prices."

Senator Lodge of Massachusetts stands out almost alone as the champion and defender of women in the senate foreign relations committee, according to reports which leak from the executive sessions of that committee, where a treaty with Canada dealing with wife deserters is under discussion. Senator Lodge is seeking to have ratified a treaty provision for the extradition of wife deserters who escape across the northern border of the United States.

The rest of the committee appears to share the view held by Senator Pomeroy of Ohio that in most cases of wife desertion the woman is at fault. Mr. Pomeroy insisted with some feeling in committee that, as a proper wife who had been deserted, he had on occasion found it advisable to keep the woman in the case out of the courtroom, on the theory that if the judge and jury could hear her sharp tongue, there would be nothing but sympathy for her husband who abandoned her.

Senator Pomeroy would find some way to make deserters support children left behind, but he would not stand for a treaty to bring back the deserter abandoning only a wife. Senator Lodge told the committee before he was voted down that 40 states already have laws for the extradition of a wife deserter to another state, but the committee failed to be impressed by this information.

Legislation to settle the question behind closed doors.

Commissioner Mann will invite the members of the delegation who were unable to visit the institution to inspect the Cedars, after which he will present his plan in writing for the consideration of the delegation.

Among those who visited the Cedars were W. W. Banks and Gus C. Moser, state senators; E. C. McFarland, Walter G. Lynn, Franklin K. Korrell, Harvey Wells, C. C. Hindman, Eugene R. Leonard and J. H. Ford, state representatives; County Commissioner Muck, City Commissioner Mann, Barbur, Bigelow and Peter; L. K. Rease of the mayor's office; William F. Woodward, representing the Oregon State Social Hygiene society; Dr. Andrew C. Smith, acting state health officer; H. A. Goode, assistant city commissioner of public utilities, and Joseph Sing-

er, candidate for sergeant-at-arms of the house of representatives. Elks' Exalted Ruler to Attend. SPOKANE, Wash., Dec. 22.—William M. Abbott of San Francisco, grand exalted ruler of the Elks' lodge, will be present at the dedication of the new Spokane temple in February, according to announcement here today. The official opening of the new temple will be governed by his arrival. Final work is now being done on the structure. Read The Oregonian classified ads.

Legislators Visit Refuge for Women

Lawmakers Survey Cedars With Other Officials.

STATE AID IS FAVORED

City Has Alternative Proposition That Hospital Be Taken Over as Public Institution.

State aid for the Cedars, constructed and operated since 1917 by the city of Portland for the care of women suffering from social diseases, was favored by the state senators and representatives who inspected the institution yesterday in company with state, city and county officials.

About one-half of the membership of the Multnomah legislative delegation visited the Cedars, and although there was no expression of definite policy of the delegation, individual members said that they would favor a plan of an appropriation by the state toward the maintenance and operation of the institution.

Per Diem Rate Suggested. City Commissioner Mann, who is in charge of the Cedars, intends to appear before the Multnomah county delegation and present a plan whereby the state of Oregon would pay a flat rate of \$2 a day for each patient cared for at the Cedars.

Mr. Mann explained the reasons present that the city of Portland constructed the institution as a war measure and up to the present time had expended approximately \$110,000 in the development and maintenance of the institution.

Ninety per cent of the inmates of the Cedars come from cities and towns outside of Portland, although some live in Portland for a few months before being sent to the institution for treatment. The city, although willing to continue handling this work, feels that the state should share in the paying of costs of operation.

At present, the per capita cost of operation of the Cedars is \$2.16 for each patient. This cost includes transportation of patients, medical supplies and the actual housing and feeding of the inmates.

The city is willing to assume all costs in excess of \$2 a day for each inmate, but should the state desire to operate the Cedars, at its present location, the city council will need the property to the state. This was made plain by members of the council who were present at the luncheon which was served at the Cedars.

Members of the state legislature who inspected the institution said that they believed the proposal of the city to continue operation of the Cedars, with the state paying \$2 a day for each patient, would be the more economical plan for the state to follow.

Management Is Complimented. Commissioner Mann will invite the members of the delegation who were unable to visit the institution to inspect the Cedars, after which he will present his plan in writing for the consideration of the delegation.

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