WIDOW'S FATHER FINDS GORY COAT

D. J. Swing Tells of Long Hunt for Evidence.

WOMAN'S SCREAM HEARD

Agees Declared to Be Affectionate Couple and Married Life Happy, Says Witness.

(Continued From First Page.)

the afternoon of Sunday, July 17, he said. On the southwest portion of the lot were thick clumps of hazel and maple, connected by ferns and high grass, he said, and sprinkled with "rubbish of all descriptions."

Walking Stick Used.

"With a walking stick I parted the bushes and ferns, and while looking discovered something black," said Ewing. "It looked like a bundle of cloth. I did not touch it, even with the stick. I had the idea that it would be best to get two other honest persons to look at it just as I found it and have them open it."

The witness went on to tell of going to the corner of Willis and Portsmouth avenue, finding a Mr. Porter and later a Mr. Maxwell to go with him to the scene and open up the mysterious bundle. In the inside breast pocket of the blood-spattered overcoat was found the music score.

"It was some kind of music, new music to me," asserted the father. "I put on my glasses and I knew from what it said on the cover that it was trombone music."

Knife in Pocket.

In the right hand pocket of the coat was the bloody hunting knife, asserted the witness. On the right-hand skirt of the coat in front were blood spots, and the right sleeve also was similarly stained.

"It seemed to be sprayed with blood," explained the witness.

Considerably excited, Judge Morrow interrupted him, asserting that the witness had disobeyed the instructions of the court to be careful and not state conclusions instead of facts.

"After all I have said to you, your conduct is inexcusable. It is very reprehensible," declared the judge, gazing sternly at the embarrassed old man.

"The court's remarks are very uncalled for and prejudicial!" shouted Collier, springing to the rescue of his witness. "I desire to take exception to them."

Exception is Granted.

"You may have your exception, but your opinion, Mr. Collier, is quite unimportant!" retorted the judge.

"But my record is important," persisted the attorney. "You didn't limit the state's evidence concerning the presence of blood on the sheets and pillow case in the Agee home. I did not object to it and the state has made no objection to this testimony."

"You may have your record."

This was not the first occasion that Judge Morrow and Collier have been at swords-points in the trial, due to remarks of the court to which the defense attorney has objected.

Under cross-examination at length by Hammersly, Swing stood by all the features of his direct testimony. He said that the coat when found was covered with dust and cobwebs and perfectly concealed from the passer-by by heavy fronds of ferns.

Music in Pocket.

Asked why he had made this search, Swing demanded of Hammersly, "Wouldn't you, with the life of your daughter at stake, and your son-in-law dead, do all that was within your power to clear up the murder? What would you expect otherwise of a father?"

Swing said that at the time the music was found in the coat he did not know that Kiecker was a trombone player.

The two men called by Swing held a consultation and the trio decided that the proper thing to do in the case was not to notify the police, but to get in touch with the defense attorney in the Agee case and take his advice as to the disposal of the evidence or possible evidence unearthed, asserted the father.

"Don't you think the officers of the law want to get the murderer?" asked Hammersly.

"From the way my daughter was run in, it don't appear they had much interest in it," retorted the witness.

In reply to questions, Swing began his testimony by telling of the early life of his daughter. Manlike, he did not recall her age, and apologized, saying, "She was born in North Carolina in 1894 or 1895, I am not sure which, because I left it to the old lady to keep up on the ages of the children."

The Agee family lived three miles from the Swing farm in Missouri. "Harry and Louise" were married about nine years ago, he said. He denied that the marriage was one to please the old folks.

"They had been sweethearts for three years—they were just children, you know," he explained, "and one day Harry and Louise and John and Daisy drove in two buggies to visit a brother of Louise on a farm 50 miles distant. They had to pass through the county seat and decided to get married on the trip as a surprise to both families."

"Was there any coercion on your part?"

"I took no hand in the affair. I did not know it was coming off."

Swing told of helping Harry Agee "to get a start" and said, "I appreciated I had a son-in-law as good as he appeared to me."

Mrs. Agee no longer was the "grim widow." She was weeping unrestrainedly as her father recalled the romance with the man now dead.

Swing testified that he and his wife visited the Agees last September and October. He saw nothing strained in their relations, saying, "They lived together like a couple of kids, that is, affectionate toward one another, and seemed very happy." He identified the razor with the mottled handle as that of the dead man, and said he never saw a black-handled razor in Agee's possession, though he used Agee's shaving materials during his visit, constantly.

An incident which led directly to the finding of the stained black overcoat and bloody knife, according to the defense, was testified to by John P. Bond, employe of the Western Cooperage company. On the early morning of the murder, about 1:30, he was proceeding home along the west side of McKenna street, he said. About two blocks from Lombard his attention was attracted by a man stooping down in the light of an arc and looking in his direction, apparently, he testified.

Man Seen Hiding.

As he drew near Bond declared the man stepped behind a telephone pole. Suspicious, Bond crossed to the other side of the street. As he passed by the corner of Lombard and McKenna the man circled about, keeping the pole between himself and Bond, said the witness, who also declared the man was dressed in dark clothes and wore something white about his head.

On cross-examination, Bond admitted to Joseph L. Hammersly, deputy district attorney, that the place where he saw the man was where a person going to town would take the St. Johns car.

Walking west on Willis street at a fast pace, glancing back over his shoulder "every few steps" in the direction of the Agee home, from the vicinity of which were coming piercing screams of a woman, a man in a dark overcoat was seen by Gordon E. Colgan, a fireman, living at 1711 Portsmouth avenue, the night of the tragedy. The man carried his hat in his hand, walked fast down Portsmouth toward Lombard, and as soon as he got out of sight of Colgan was heard to break into a run, testified this witness.

Colgan testified that he was standing at the corner of Portsmouth avenue and Willis boulevard saying good-night to a neighbor he had driven home from town, when he heard the screams, "as clearly as if they had been across the street."

"I thought somebody was having a good time down there," he explained. Then he saw the figure of a man coming down the street. At no time was the man nearer to him than 70 feet, he said. The hat held was a dark one, asserted the witness, and the coat came about to the knees of the wearer.

E. Marvin, the man to whom Colgan was talking at the time the stranger was seen, corroborated his testimony.

Rebuttal of the testimony of the prosecution's star witness, Kiecker, to the effect that he was in the company of Mrs. Agee on the nights of Saturday, June 4, and Thursday, June 9, on which occasions they visited secluded spots, was given by eight witnesses called by the defense.

May Poulton, Helen Moser, Bertha Myers, Isabelle Biersdorf, all members of the Rebekah band, told of seeing Mrs. Agee with her husband at the Odd Fellows temple, First and Alder streets, as late as 11:30 P. M. on the night of Saturday, June 4.

Dora Howard, Mamie Howard and Delo Howard said they saw Mrs. Agee in band uniform sitting on a box at Broadway and Washington street on Thursday night, June 14, waiting for the arrival of her husband to take her to the Rose Festival fireworks at the Multnomah field. Mrs. Herbert Ewing, 7509 East Seventh avenue, southeast, testified that she saw Mr. and Mrs. Agee at the field. The Howards talked with Mrs. Agee until her husband arrived, they asserted.

Couple Declared Affectionate.

M. T. Nelson testified to taking Agee as far as Broadway and Larrabee on the night of June 9 when Agee was on his way to meet his wife.

Mr. and Mrs. L. E. Kramer, intimate friends of the Agees, testified that they were always an affectionate couple, kissing at meeting and parting. Mrs. Kramer said that she had talked with Mrs. Agee "about what good husbands we both have and she said she could not wish for a kinder man."

The watch and gold bracelet later found on the ground outside the Agee home were in the bedroom where Agee was slain when Thomas Jewell, a neighbor, arrived at the murder scene, he testified yesterday. Jewell identified the watch in evidence as similar to the one he had noted in the watch pocket of Agee's trousers which hung across the foot of his bed.

Later arrivals found no watch and the trousers pockets were turned inside out. Jewell said that on the floor near the foot of the bed lay a woman's bracelet, opened. This bracelet later was found in the yard of the Agee home outside the dining room window.

Effect of this testimony was to substantiate the theory held that someone endeavored to make the killing of Harry Agee appear to be the act of a burglar, bent on robbing the man, and that silver and other articles found outside the house were "planted" by that person.

Part of Bed Seems Undisturbed.

The state has laid considerable stress on the testimony of witnesses who said they did not think, from the appearance, that the far side of the Agee bed had been slept in the night of the murder, contradicting the contention of the defense that Mrs. Agee was in bed with her husband when he met his death.

Jewell, one of the first persons to reach the room in the investigation, testified that someone asked him to get a pillow for Agee's head.

"I picked up a pillow from the bed, then thought I hadn't ought to do that and threw the pillow back," he testified.

"From what side of the bed was that?" asked Collier.

"It was on the side next to the wall."

"Did it have any blood on it?"

"No, it was a clean pillow."

"Did the north side of the bed appear to you as though someone had slept in it that night?" continued the attorney.

"I paid no particular attention to it. I couldn't tell if another person had slept there or not."

Woman Not Bloodstained.

During most of this time, Jewell said that Mrs. Agee had been sitting in the kitchen, crying.

"Did you see any blood on Mrs. Agee?" asked Collier.

"I didn't see no blood on her."

"Did you look for any?"

"Yes, I seen her hands."

Asked on cross-examination by Samuel H. Pierce, deputy district attorney, if he had told anyone of finding the bracelet and watch in the bedroom that night, Jewell replied that he told his wife and boy when he got home. He said he told "a good many people" about it afterwards and that it was not more than two weeks ago that he told Collier.

"Did you ever tell the authorities about finding these articles?" asked Pierce.

"No," answered the witness.

Prosecutors Told, He Says.

"Did you ever tell Mr. Pierce or Mr. Hammersly?" asked Collier on redirect examination.

"Yes, sir." Jewell produced his subpena, dated last Monday, and admitted that was the day on which he told these things to the deputy district attorney.

Jewell said he left the Agee house four or five minutes after the body of Agee was removed and before the articles were found outside the house.

On approaching the house, Jewell said he saw a light but could not recall in which room. He remembered turning on the lights in dining room, kitchen and bedroom himself but not the light in the parlor, thus leaving the inference that the light he saw was in the parlor.

Jewell met Mrs. Green, Mrs. Agee and Mrs. Gagne on his way to the house, he said. Asked if they said anything to him concerning the murder, Jewell replied, "Mrs. Gagne said, 'For God's sake, Mr. Jewell, run. They are killing Mr. Agee!'"

Mrs. Agee Is Kept Away, Report.

Mrs. Agee was restrained forcibly from going to the side of her dying husband and did not stay away from him through choice, was the effect of the testimony of Mrs. Bertha Gagne, a neighbor called to the witness stand by the defense.

"We must not let her go over there," Mrs. Gagne said she had remarked to Mrs. R. E. Green, another neighbor, as Mrs. Agee clung to her, arms about Mrs. Gagne's neck.

"And did she try to go to her husband?" asked Henry Collier.

"She did."

"Who stopped her?"

"Mrs. Green and me."

The prosecution has contended that Mrs. Agee has been a "grim widow," and has shown little emotion over the violent death of her husband.

"Did she show any grief that night?" was a question asked Mrs. Gagne.

Widow Weeping, Says Witness.

"She cried and was very nervous," was the answer.

After the body of her husband was taken away, Mrs. Agee ran sobbing and sobbing to the Green house, said the witness.

Mrs. Gagne said she was awakened by the screams of a woman the night of the murder. When she got to the house she saw a light within, she testified. This conflicts with the evidence of some of the state's witnesses, who insisted that there was no light when they arrived on the scene, and their arrival was at the same time or later than that of Mrs. Gagne.

Laura Howes, 1717 Herford street, heard running footsteps past her home, simultaneously with a woman's screams on the night of June 11. She heard a man's voice, but could not distinguish what he said. She thought he was calling "Fire!" she testified.

T. T. Tepeson, 1764 Hodge street, told of being awakened about 12:10 on the morning of the murder by screams. He looked out of the tent where he was sleeping, saw no one and went back inside. After going back he heard the steps of a person walking fast toward Portsmouth avenue, he testified. He did not see the pedestrian.

G. R. Young testified that he visited the Agee home at 8 o'clock on the morning following the slaying and saw what appeared to be blood on the knobs of the front door.

From an announcement by District Attorney Evans yesterday it became known for the first time that Judge Morrow had denied a motion for a directed verdict in the Agee case in chambers the day prior. No notice of the action was made in court.

ALL WANT TAXES CUT

REVISION PROBLEM PROMISES TO BE DIFFICULT ONE.

Many Interests Urge Reduction, but Few Suggest Means for Meeting Revenue Loss.

WASHINGTON, D. C., July 29.—Public hearings on tax revision were closed today by the house ways and means committee, which will start drafting the new revenue bill after hearing Secretary Mellon, Internal Revenue Commissioner Blair and other treasury officers in executive session beginning Monday.

Chairman Fordney said today it probably would take three weeks to get the bill before the house. The majority members of the committee have as yet had no conferences to agree upon a revision programme and evidence of differences of opinion among them has not been lacking.

All of the republicans have not yet agreed to the treasury proposal to repeal the excess profits tax and substitute an increase in the normal tax on corporations, but leaders believe this programme will prevail. A reduction in the surtax list to a maximum of at least 40 per cent also is forecast.

Like the great majority of those who had gone before, most witnesses sought removal of the tax from their particular industries, but, as Chairman Fordney pointed out, few suggestions were offered as to how the loss in revenue proposed was to be made up.

William A. Brady of New York and other spokesmen for the moving picture industry, including theaters, asked that the theater seat tax, the 5 per cent sales tax on films and the 10 per cent admission tax be removed. They declared the industry was in worse shape than any other in the country, with 4000 theaters already closed and many others planning to shut down next month. Mr. Brady said the high salaries of movie stars had disappeared in the last year.

The National Manufacturers' association urged repeal of the excess profits tax on the higher branches in the surtax, substituting a general turnover or sales tax, while representatives of the fur industry asked repeal or modification of the tax on their products.

Representative Appleby, republican, New Jersey, argued in favor of his bill for a two-cent stamp tax on bank checks, to repeal the soda water tax and to levy a federal tax of 40 cents a horse power on passenger automobiles and $1 a ton on trucks, with a proportion of this to go to the states in lieu of the present state taxes. He also asked for a simplification of the income tax sheets.

Opposing repeal of the excess profits tax and the higher rate of surtax, Charles A. Lyman, secretary of the national board of farm organizations, said there was feeling on the part of farmers that some plan should be worked out under which vast accumulations of wealth should bear a large part of the tax burden.

Albers Funeral Occurs Today.

Funeral services for J. Henry Albers, wealthy miller, who died Wednesday at his home in Milwaukie, will be held today. High requiem mass will be said in St. John's Catholic church in Milwaukie at 9:30 A. M. and the interment will be made in Mount Calvary cemetery.

Man Eats Canned Heat.

Patrick Edwards, 45, was arrested at 22½ North Third street last night. Edwards got drunk with canned heat for his intoxicant. The kick was supplied by the denatured alcohol in the preparation. Edwards had eaten six tins and had 18 to go when Captain Inskeep's men found him.

Youth Is Accused of Theft.

Linn Cooper, 20 years old, was arrested at his home, 1200 East Harrison street, last night on a warrant charging larceny. He was charged with the theft of a $30 gasoline coupon book from a filling station, but denied that he took it.

FINANCIAL RELIEF DECLARED ON WAY

Cut in Federal Reserve Discount Rates Cited.

WHITE HOUSE GIVES VIEW

Accomplishments of Administration Toward Relief Discussed at Length in Statement.

WASHINGTON, D. C., July 29.—The accomplishments of the administration toward relief of financial conditions are reviewed at length in a statement issued today from the White House, declaring that the work done in that direction during the last four months constituted "an achievement of the largest importance to the country."

In support of this assertion, the statement pointed to and discussed at length the recent reduction of discount rates by federal reserve banks, steps taken by the treasury towards refunding the national debt; the resumption of active operation by the war finance corporation; efforts toward final settlement of the railroad problem; extension of relief to agriculture and the livestock industry and various other items of the administration's financial policy.

Rediscount Reductions Cited.

"It is unsafe," said the statement, "to prophesy concerning conditions in the future, but it may be expected that recognition will be given to further improvements in accordance with the dictates of sound banking practice."

The statement pointed to successive reductions in rediscount rates by the federal reserve banks, and added:

"It will not have escaped attention that the rates of discount of the Bank of England have also been successfully reduced and that these reductions have substantially coincided with the reductions in federal reserve rates in this country. This would appear to be a frank recognition of the intimate relation between the money markets in this country and Europe and a recognition as well of the improvement in world credit conditions. The importance of coincident reductions by these two leading banking systems lies chiefly in the fact that it indicated a mutual desire to reopen the international channels of credit upon which international trade depends.

New Policy Discussed.

"The treasury, on its part, has, during the last four months, successfully inaugurated its new policy of refunding the short-dated debt of the government and distributing the early maturities over the period between the maturity of the victory loan in 1923 and the third liberty loan in 1928. The first offering of treasury notes pursuant to this policy met with a most enthusiastic response, and the further development of the programme should bring about a better distribution of the public debt and much improved market conditions for government securities. There has already been a marked improvement in the market prices of liberty bonds and victory notes, and the market for all outstanding issues of short-term government securities is in better shape than at any time since the depression.

The work of the revived war finance corporation, the statement said, "has been, according to many evidences received, an inspiring and heartening factor in the whole agricultural situation."

Benefits Declared Started.

Referring to the president's proposal that the powers of the war finance corporation be extended to allow it to purchase railroad securities from the railroad administration in order to finance the settlements by the administration, the statement said it was expected that the intervention of the finance corporation in railroad finances "will again have a beneficial effect on general railroad credit and also that the corporation again will be able to secure the whole-hearted co-operation of the bankers of the country in developing the market for railroad securities.

"Speaking of the broadest way," the statement concluded, "it is felt that the series of measures mentioned constitute a truly constructive effort for the amelioration of business and financial conditions and there are already many evidences of beneficial effects. With a generally excellent agricultural production now assured for the season, there is every reason for confidence that a steady improvement of general business conditions may be anticipated."

WASHOUGAL MAN ELECTED

GREATER CLARKE ASSOCIATION HEADED BY G. MOODY.

P. H. Bell of Ridgefield Chosen Vice-President—John Elwell Speaks on Co-operation.

VANCOUVER, Wash., July 29.—(Special.)—At a meeting of the Greater Clarke County association at Battle Ground lake last night George Y. Moody of Washougal was elected president; P. H. Bell of Ridgefield, vice-president; Clinton Fleet of Vancouver, re-elected secretary-treasurer, and the following were named trustees: Arthur Thayer, Camas; C. A. Button, La Center; W. S. Miller and Charles Greeley, both of Ridgefield; M. S. Cohen, P. J. Flynn, C. E. McCall and Fritz Braun all of Vancouver, and A. Moreland and H. W. White, both of Battle Ground.

In the absence of President Shattuck, Robert Dunbar presided over the meeting, which was preceded by a banquet in one of the open-air pavilions of the grounds.

John Elwell, president of the Vancouver chamber of commerce, spoke on co-operation. R. C. Sugg spoke on home trading.

Robert Dunbar informed the business men that the board of directors of the association deemed it necessary to divide the member business men into divisions which were most likely to co-operate, and the members elected A. L. Curtain of Vancouver chairman of the butchers, bakers, grocers and fish dealers; J. J. Padden, chairman of the clothiers and general merchandise men; L. J. East of the wholesalers and manufacturers, and P. J. Flynn, chairman of the hardware and furniture dealers.

FRANCE WILL HELP FAIR

Julius Meier Gets Message From American in Paris.

Paris and all France is already intensely interested in the proposed 1925 exposition, according to a message that has been received by Julius L. Meier, chairman of the exposition committee, from John T. Kirkup, who is now in Paris, taking pictures for the queen of Roumania. The message follows:

"France intensely interested in exposition; Loie Fuller, great American artist, sends following message: 'The initiative of the west—no longer the far west—is a wonder to the world, and following on the erection of the first peace portal by Samuel Hill and the great Pacific highway association in Washington, the news from Portland about the exposition, the like of which has never been seen, is the sensation of today. The people must be wonderful and may their project bring great friendship between peoples. No country will go farther than France toward the realization of this great idea, so marvelous for our country, the United States."

MOTORCYCLISTS ARE HURT

Man and Wife Injured While on Way Back to California.

Mr. and Mrs. F. E. Lenz, a young California couple on their way home to Santa Clara county from Seattle with a motorcycle and sidecar, were injured last night, when the machine left the road near Milwaukie and just south of the Multnomah county line. Both were unconscious when they were found by C. F. Richardson, a resident of that vicinity.

Phone your want ads to The Oregonian. Main 7070. Automatic 560-95.

LOCAL BUDGET LAW RULES MULTNOMAH

State-Wide Statute Barred From This County.

FRIENDLY SUIT DECIDED

Circuit Judge McCourt Holds That Commission Must Pass Upon Expenditures—Appeal Taken.

The state-wide budget bill passed during the last session of the legislature is not applicable to Multnomah county, and the county must be governed by the act of the same session applying to counties of more than 100,000 population, according to a decision handed down by Judge McCourt in the circuit court yesterday. The suit was friendly in character and merely sought to bring a decision as to which of two apparently conflicting bills regarding the budget was to apply in this county.

The suit was filed by Abe Tichner and it was for the issuing of an injunction requiring the county to prepare its budget under the terms of the bill applying to counties of more than 100,000 population.

Appeal Immediately Taken.

District Attorney Evans represented Mr. Tichner and the city was represented by City Attorney Grant and Deputy City Attorney Latourette. Immediately after the decision Mr. Grant asked for an appeal to the supreme court. The appeal must be taken and a final decision given before it will be possible for any work to be done on the budget.

In the last legislative session a bill, now designated in the state laws as chapter 118, was passed requiring that every tax-levying body shall prepare a budget showing in detail the proposed expenditures for the ensuing year. This budget must be prepared by a budget committee, consisting of the tax-levying body and an equal number of citizens. Following the adoption of this budget it must be published at least twice.

County Under Supervisory Rule.

Chapter 208 is the law that, according to Judge McCourt, is applicable to Multnomah county. It provides for the appointment by the governor of three persons who shall constitute a tax supervision and conservation commission. The tax-levying body shall prepare its budget of expenditures and submit it to the commission on or before October 1 of each year. This commission has power either to increase or decrease any items it may deem necessary in the budget submitted. The members of this commission are F. W. Mulkey, R. L. Sabin and L. J. Goldsmith.

The publication of the budget lists each year, as provided in the state-wide bill, would involve an unnecessary expense of approximately $25,000 annually, according to both Mr. Grant and Mr. Evans.

Unnecessary Expense Eliminated.

The decision which establishes a policy of procedure for Multnomah county wipes out the possibility for that unnecessary expenditure.

Efforts will be made by Mr. Grant to have the appeal taken before the supreme curt immediately. Had the decision of Judge McCourt been contrary to what it was it would have been necessary to have the budget lists of the county published not later than September 5.

Eugene Pastor in California.

SAN FRANCISCO, July 29.—Rev. E. T. McCarthy, pastor of a church in Eugene, arrived here from the far east today on the Pacific Mail liner Golden State.

Leaving Fire Brings Fine.

CASCADE LOCKS, Or., July 29.—(Special.)—W. G. Skidmore of Rochester, Wash., was arrested this morning for leaving a camp fire burning near Ruckel creek on the Columbia River highway near Cascade Locks. Forest Ranger Wiesendanger happened along just as Mr. Skidmore and his son were leaving in their car for Hood River. They returned and assisted him extinguish the fire, and were then taken to Hood River, where they plead guilty before Judge Onthank and were fined $5.

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Skirts of silk 7.45, 9.45. Wool: 9.45—12.45.

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Pongee, taffeta and silk Jersey—in good suit shades—some remarkably good values will be found.

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Envelope chemises of crepe de chine, 2.95—3.95.
Nightgowns of crepe de chine, 3.95—4.95.
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NOTE: The Elks in Seattle, the grocers' and telephone picnics, and the kiddies at Peninsula park will be shown on Monday and the rest of the week.

COLUMBIA
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"THE CROOKED WOMAN" -or- "PROXIES"
TODAY!

SPECIAL NOTE

"The Crooked Woman" is adapted from the Cosmopolitan story, "Proxies," made by the producers of "The Woman God Changed" and "Humoresque."

It is a swift-moving drama of a woman's regeneration and a man's fight against evil. A notable cast of players, including Norman Kerry and Zeena Keefe.