

MURDER HEARING SHAKES ARBUCKLE

Gloomy Comedian Trembles When Facing Court.

INQUEST IS STARTED

Grand Jury Also Called to Meet; Actor's Head Drops When He Hears He Must Stand Trial.

(Continued From First Page)

opened a group of witnesses marshaled by Milton U'Ren, assistant district attorney, in direct charge of the Arbusckle case, was waiting in ante-rooms ready to tell what they knew of a party in Arbusckle's rooms at the St. Francis hotel which preceded the illness and death of Miss Rappe.

Great reliance in obtaining an indictment has been placed, U'Ren said, in the testimony of Mrs. Bambiina Maud Delmont, companion of Miss Rappe; Zey Provost, show girl, and Alice Blake, guests at Arbusckle's party, and Mrs. Delmont, the nurse who attended Miss Rappe during the moments when death was near.

Sessions may last until morning, it was said, and there was a possibility that the investigation of the Arbusckle case might not be concluded tonight.

Unable to hide his deep concern, Arbusckle appeared in police court today and heard that he was charged with murder and that he must stand trial. He tried to avoid the court ordeal, begging that he be allowed to remain in his cell and away from the throngs that he was told were pressing against the courtroom doors for a sight of him.

The quick changing facial expression and brisk actions, which brought laughter to millions and put Arbusckle on the pedestal of stardom, have vanished.

He wears a serious, downcast look. He was silent to the point of sullenness, smoking innumerable cigarettes throughout the hearing.

Never before in his career was Arbusckle so reluctant to face a crowd clamoring for a glimpse of him as he was to meet the throng that fairly mobbed the courtroom of Police Judge O'Brien.

Always before, the clamoring of such a mob excited the comedian. "Where's Fatty?" had been music to his ears—enough to touch the pride of anyone. But today it was all very different and also very distant.

Court Seats Filled Early

Long before court convened at 10 o'clock every seat was filled and the aisles jammed. Minor cases were disposed of hurriedly and as the minutes rolled by more and more spectators crushed their way into the courtroom. Those in the rear of the courtroom stood on their seats and on the window sills in order to see over the heads of those standing.

George Babbitt, a dejected-looking personage, charged with begging, came before Judge O'Brien.

Your case is dismissed if you can get out of this courtroom," laughed the judge. Babbitt scribbled through the crowd. He got out.

Arbusckle's attorneys were let into the courtroom through a side door. "Where is your client?" asked Judge O'Brien.

Arbusckle Is Measured

"I am informed that he is now undergoing the usual measurements of having his Bertillon measurements and his photograph taken in the police identification bureau," answered Brennan.

It was also learned from Brennan that Domingue had departed for Los Angeles at an early hour this morning to attend to the requirements of the law.

At 11 o'clock there was a knock at the side door of the courtroom. Bailiff Joseph McCarthie went to the door. The crowd strained and the murmur of "Here he is" was heard throughout the courtroom. But when the door was opened in stepped District Attorney Brady, his assistant, Milton U'Ren, Captain of Detectives Matheson and Mrs. Maud Delmont, close friend of the late Virginia Rappe, clad in deep black, ghostly pale and leaning heavily on the shoulder of Policewoman Eisenhart.

Witness Offered Judge

District Attorney Brady laid a warrant and complaint before Judge O'Brien, saying:

"Mrs. Delmont is going to swear to a new murder complaint against Arbusckle."

"Lift your right hand," admonished Judge O'Brien. "Do you solemnly swear that all contained in this complaint is the absolute truth?"

Mrs. Delmont lifted a shaking, slim white hand, and in a wavering voice answered: "I do."

While Judge O'Brien affixed his signature to the warrant and complaint, Mrs. Delmont rested her head wearily against his desk. With trembling hands she signed the murder complaint: "Bambiina Maud Delmont, Hotel St. Francis."

As she turned to leave the courtroom, still leaning on Mrs. Eisenhart, she appeared to lose control of her limbs and would have fallen only for ready hands. She was helped out in a state of collapse.

Defendant Is Remanded

No. 34 on the morning list, Roscoe Arbusckle; dressed Assistant District Attorney McMahon.

"Where is the defendant?"

"Not here," answered Bailiff McCarthie.

"What is the meaning of this, anyhow?" demanded Judge O'Brien, indignantly, looking at his watch. "It is 11:15. Why is the defendant not here?"

"I understand he does not want to appear in court, but wants to be arraigned in the prison," answered McCarthie.

"Is that so?" said the court. "Well, I will adjourn court for five minutes and Mr. Bailiff, I want you to tell Captain Matheson to produce the defendant, Arbusckle, at once. All defendants coming into this court are treated the same. No exceptions will be made and this court will not stand being ignored."

Arbusckle Is Brought In

Judge O'Brien took the bench again at the end of five minutes. He sat holding his watch in his hand. At 11:25 he ordered another adjournment and instructed Bailiff Coleman to summon Captain Matheson at once. All during this sidelay Brennan and Cohen, counsel for Arbusckle, stood as bewildered as anyone at the absence of the defendant.

Five minutes later another knock sounded at the side door of the courtroom and Arbusckle was brought in by Captain Captain Matheson and Detectives Griffith Kennedy and Thomas Reagan.

Flashlights exploded and newspaper cameras clicked. Arbusckle stopped short and blinked uncomfortably. He took his place between Brennan and Cohen, his attorney with an answer to the reports came in early that the Ar-

YOUNG MOTION PICTURE ACTRESS FOR WHOSE DEATH ROSCOE ARBUCKLE IS ACCUSED OF MURDER.



VIRGINIA RAPPE, FROM PORTRAIT PUBLISHED IN A SAN FRANCISCO NEWSPAPER.

busckle films now being circulated would be "dark" until such time as he had cleared himself.

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"Comedy and tragedy are combined in the lives of the fortunate and the unfortunate," the plea set forth. "In God's plan the two are essential."

Statement Made Public

Frank E. Domingue, Charles Brennan and Milton M. Cohen, attorneys in defense of (Fatty) Arbusckle, made public the following statement regarding the charge of murder preferred against their client:

"As the legal representatives and friends of Roscoe (Fatty) Arbusckle, we respectfully submit that the courts of California, famous for fair play and justice, will determine that our client is innocent.

"We, with a complete knowledge of all the facts, know that he is innocent. The patrons of the silent drama, having a knowledge of the smile and the heart of the famous (Fatty) Arbusckle, will not believe that he is guilty of the charges made against him until proven in the court of justice.

"The Christian sentiment of this God-fearing nation will not adjudge any person guilty of an alleged crime until the same has been proven in the spirit of our master, who said: 'Judge not, lest ye be judged.'

Criticism Declared Unjust

"The whirlwind and typhoon of unjust criticism is now on; truth will dispel the clouds of falsehood. Truth is mighty and will prevail, and the courts of this land will sustain the basic principle of the Anglo-Saxon ideal, that the presumption of innocence prevails until the same has been disproved beyond a reasonable doubt.

"Comedy and tragedy come into the lives of the fortunate and the unfortunate. In God's plan the two are essential. With an abiding confidence that the Christian charity of the civilized world will be maintained in this case, we appeal to the conscience and the heart of the American public to hold in abeyance any judgment until the courts have determined the guilt or innocence of our client. We ask the public of our common country to suspend judgment in this case until such time as a jury of the peers of Roscoe Arbusckle shall determine his guilt or innocence."

Arbusckle Held Innocent

"With a full knowledge of our obligations as attorneys, we assert that Roscoe (Fatty) Arbusckle is innocent of the crime charged against him in connection with the death of Miss Virginia Rappe and that the confidence in his integrity and honor is not to be shaken by the charges made against him and his admirers. We positively declare that the charges made against him are false and the same will be maintained in due time in the courts of justice of California. Bias and prejudice cannot prevail against the honest and faithful in the rectitude, the honesty and the integrity of the constitution of California, the courts of justice and its executive officers."

Party Details Given Police

Mrs. Delmont, in signed and sworn statements, gave the police many details of the party in Arbusckle's rooms in the St. Francis hotel here a week ago today, at which time Miss Rappe was subjected to an alleged attack by Arbusckle. She died four days later.

Mrs. Delmont attended the party and assisted Miss Rappe after an alleged attack.

District Attorney Brady announced that he had received a telegram from Henry Lehman, motion picture producer of New York, and fiancée of Miss Rappe, asking him to obtain a sworn statement from Mrs. Delmont. Brady replied that the statement had already been obtained.

In his answer to Lehman, Brady said that Miss Rappe's body would not be sent to her home in Los Angeles until after the inquest. He asked Lehman what his wishes were in regard to the funeral.

Hospital Visit Related

Mrs. Sprackels told the district attorney that she was informed over the telephone last Friday by Mrs. Delmont that the young actress was in a serious condition in a local hospital. Mrs. Delmont asked Mrs. Sprackels to telegraph Henry Lehman concerning Miss Rappe's condition. After Mrs. Sprackels had been informed, she called at the hospital and saw Mrs. Rappe's body would not be sent to her home in Los Angeles until after the inquest. He asked Lehman what his wishes were in regard to the funeral.

FILMS OF ARBUCKLE PUT UP TO PUBLIC

Mayor Baker Declares Ban Is Not Needed.

POPULARITY HELD DEAD

City Executive Thinks No Theater Manager Would Be Foolish Enough to Book Pictures.

Official action of the city administration forbidding the Portland showing of motion pictures featuring "Fatty" Arbusckle would be entirely superfluous, Mayor Baker said yesterday.

"Public opinion will decide whether or not Arbusckle shall be shown on the screens of the city," he declared. "In my opinion, no theater manager would be so foolish as to exhibit a film in which Arbusckle appears at this time."

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"PIED PIPER" ROLE PLAYED

Antics of Arbusckle Recalled by Actor's Stepmother.

SAN JOSE, Cal., Sept. 12.—Roscoe C. ("Fatty") Arbusckle, under arrest in San Francisco on a murder charge, played the part of the "Pied Piper" to the children of Santa Clara, near here, where he lived years ago, according to a statement today by his stepmother, Mrs. Mollie Arbusckle.

Mrs. Arbusckle is a washwoman and charwoman. Her husband died four years ago.

"He was so big and good-natured and so full of fun that the children used to follow him around to watch his antics," Mrs. Arbusckle said at her Santa Clara home.

"I knew nothing of Roscoe until he was 12 years old," she said. "He was always good-natured. He got his start in San Jose by singing in the theaters. Then he went away, years ago, and I did not hear from him until about five years ago, when he appeared in a San Jose theater. I spoke to him for a few minutes then."

"Roscoe was always kind to me, but he never offered to support me, and I never expected him to. I do not feel it was his place to support me."

If he is innocent, I want to see him cleared. If he is guilty I want to see him punished to the limit."

According to Mrs. Arbusckle, Roscoe Arbusckle is an uncle of Al St. John, motion picture actor of Los Angeles. He has a brother, Arthur Arbusckle, in San Francisco, and another brother, Harry Arbusckle, in Fresno, she said.

Arbusckle gained the nickname of "Fatty" when he started to school at Santa Ana at the age of 6 years, according to ex-schoolmates.

They also related how he delivered in a little red wagon the washing done for other families by his mother, Mrs. Mary Gordon Arbusckle, who died here when the future film comedian was 10 years old. Her grave is in a Santa Ana cemetery.

Arbusckle Born in Kansas

SMITH CENTER, Kan., Sept. 12.—Residence of this town was much concerned over the San Francisco scandal involving Roscoe Arbusckle. He was born in a sod house in the northwest corner of Smith Center March 24, 1887. Since he became famous as a film star he has visited here and renewed old acquaintances on a number of occasions.

S. & H. green stamps for cash. Holman Fuel Co., coal and wood. Main 353; 550-21.—Adv.

Orpheum matinee today, 15c, 25c, 50c.—Adv.

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Arbusckle Married in 1908

NEW YORK, Sept. 12.—Officers of the Motion Picture Exhibitors' league today were summoned to meet here tomorrow to take action regarding cancellation of films featuring Roscoe Arbusckle.

WENATCHEE, Wash., Sept. 12.—Manager Kanter of the Liberty theater stated that no more Arbusckle pictures will be shown in Wenatchee until the comedian has cleared himself of the charges.

MEDFORD, Mass., Sept. 12.—Mayor Haines notified all motion picture houses here that films of Arbusckle would be barred until Arbusckle's case had been disposed of in the courts.

LOS ANGELES, Cal., Sept. 12.—The latest film production featuring Arbusckle was canceled last night at the largest of the local motion picture houses.

IDAHO FALLS, Ida., Sept. 12.—A picture starring Roscoe Arbusckle, scheduled for Round-up week, has been canceled by the biggest local theater management.

OMAHA, Sept. 12.—The manager of one of the largest moving picture theaters here today said he would not show any Roscoe (Fatty) Arbusckle pictures until Arbusckle is cleared of the murder charge. The manager of two other film theaters canceled an Arbusckle picture.

Do you know you can roll 50 good cigarettes for 10 Cts from one bag of

GENUINE "BULL" DURHAM TOBACCO

We want you to have the best paper for "BULL." So now you can receive with each package a book of 24 leaves of BULL—the very finest cigarette paper in the world.

Phil. Mutschler for

ARMY MAN 100 YEARS OLD

Harding Congratulates John T. Gibson on 100th Anniversary.

HUNTINGTON, W. Va., Sept. 12.—John T. Gibson, a retired army man, who will celebrate Saturday the 100th anniversary of his birthday, yesterday, received a congratulatory message from President Harding.

"I have to congratulate you on having lived a full century, the most eventful and important, I am sure, in the world's history; and I hope you will have many more years vouchsafed to you in what I believe will be a yet more important and fruitful time," the president wrote.

Orpheum matinee today, 15c, 25c, 50c.—Adv.

Read The Oregonian classified ads.

WALLA WALLA, Wash., Sept. 12.—Mayor Hill today ordered all local moving picture houses in the city to cancel any bookings of pictures in which Arbusckle appears.

MEMPHIS, Tenn., Sept. 12.—The Memphis board of censors announced today that the showing of motion pictures featuring Arbusckle would not be permitted in Memphis theaters until he has cleared himself of the charges.

TOLEDO, O., Sept. 12.—The only motion picture house in Toledo showing Arbusckle films today canceled all of its Arbusckle bookings.

BUTTE, Mont., Sept. 12.—Cancellation of a picture starring Arbusckle was announced today by Frank T. Bailey, manager of a local theater.

BILLINGS, Mont., Sept. 12.—E. C. O'Keefe, manager of one of the largest motion picture houses in Billings, announced this afternoon that he had canceled all Arbusckle pictures because of the murder charge against the famous comedian.

DETROIT, Sept. 12.—All pictures featuring Arbusckle were placed under ban today by the Michigan Motion Picture Exhibitors' association.

OGDEN, Utah, Sept. 12.—H. E. Skinner, manager of Ogden's largest photoplay theater, today canceled three Arbusckle films.

OKLAHOMA CITY, Okla., Sept. 12.—An order barring the exhibition of Arbusckle pictures was signed here today by Mayor Walton.

VANCOUVER, B. C., Sept. 12.—A film featuring Arbusckle has been cancelled by a theater here.

BEND, Or., Sept. 12.—(Special)—Best movie house in town today canceled "Fatty" Arbusckle billings until final disposition is made of the murder case.

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What's in a Shoe?

YOU get out of your shoes what the manufacturer put into them--no more--no less. When it comes to wear, it's not looks and style that count, but real leather and workmanship--it's the stuff in the inside, the insole, the counter, the vamp, etc.

When you buy a pair of Weyenberg Work Shoes --you get the best that money can buy--shoes that will outwear all other work shoes, and these are the reasons why:

1. Grain Leather Guset.
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