

\$50,000 IN BONDS SOLD BY MORRIS CENTER OF FIGHT

Should Federal Judge R. S. Bean allow the A. C. Hopkins estate the right to reclaim \$50,000 worth of bonds from the estate of Morris Brothers, bankrupt bond house, the assets will be short that amount. A. C. Hart, counsel for the estate, told Judge Bean this morning during the hearing in the federal court that the Morris Brothers had committed an error and had included the bonds with the remainder of the assets, whereas they had been already paid for by the Hopkins estate and were merely held by Morris Brothers for shipment.

Hart told the court that the Hopkins account on the Morris Brothers books is marked closed, and held that this added further weight to his contention that the trustee had no right to the bonds.

BUTS BONDS HERE
On December 9, 1921, William P. Hopworth of bonds for the Hopkins estate worth of bonds for the Hopkins estate of Lockhaven, Pa. After buying \$50,000 worth of bonds, most of which were already in the bond house, and arranging for an additional \$10,000 worth of the Port of Bay City bonds, Hopkins left the city and notified the other trustee of the estate, I. A. Lockhaven, of his selection, and requested his approval. Shaffer's approval was received a few days later by Morris Brothers.

December 22 Morris Brothers had collected in all of the \$60,000 block, which consisted of various small bonds, and Hopkins sent a \$61,000 check from Spokane, the extra \$1000 being to pay off accrued interest.

Orders are said to have been given to ship the bonds on December 24, and with them an \$800 check was to be returned as the extra expense had only consumed \$200 of the \$1000.

SHIPMENT DELAYED
Shipment was delayed, Hart said, because the firm was in a turmoil and no one would sign the \$800 check, as John L. Eberhardt, who is endeavoring to retain the bonds as part of the assets.

Hart consumed the morning session of the court giving his side of the case. John P. Winter is appearing for Trustee Earl C. Brown, who is endeavoring to retain the bonds as part of the assets.

The hearing today before Judge Bean is an appeal from the decision of Referee A. M. Cannon, who ruled that the estate could not reclaim the bonds.

AGEE DEFENSE IS BRACED BY WITNESS
(Continued From Page One)

At 1 o'clock Denmore said a man with a striped suit, slouch hat and smoking a clay pipe appeared from behind a rose bush. He asked what the trouble was and then disappeared.

MAN IS IDENTIFIED
"I have since learned that this man's name is La Page," said Denmore. "It was while tracing his footsteps that we found the razor."

This testimony was brought out by Deputy District Attorney Hammerly, evidently with the intention of showing later that the stranger was simply a casual passerby.

Criticizing Circuit Judge R. G. Morrow for interrupting the testimony of Elmo Brous, a neighbor of the Agees, John Collier, chief of counsel for Mrs. Agee, this morning brought about the first vital clash in the case.

Collier asked Brous about the condition of the bed occupied by the couple "after both had left the room." The trial judge commanded that Brous decline a reply, inasmuch as no testimony had been offered to show that both were in the room.

"I take exception to the interruption of the court as prejudicial," Collier declared. "I request that any suggestions come from the district attorney."

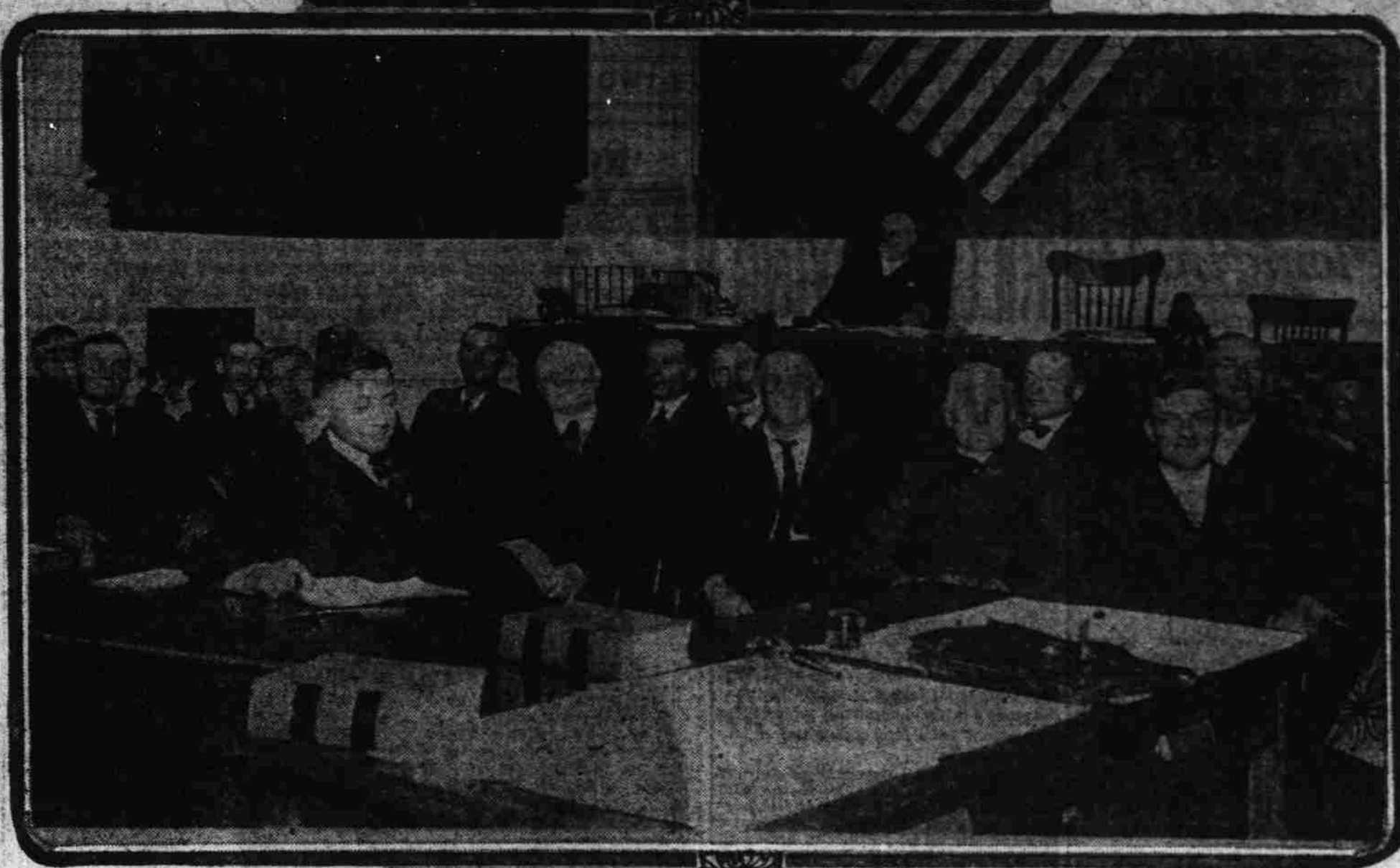
"The exception is allowed, but the ruling will stand," the judge ordered.

REPLIES TO ALARM
Brous was the first witness called for the state this morning. He is a brother-in-law of Dr. Clyde C. B. Van Vliet and lived near the Agee home. He went with the doctor to the home when the alarm of crime had been spread by Mrs. Agee's screaming, and testified that he found lights burning in the house. He took a blanket off the bed, he said, and did not notice whether Mrs. Agee's side of the bed had been occupied.

Edward A. Moss, barber, who lives directly across Dr. Van Vliet's from the Agee home, testified to being awakened by Agee.

"I heard a noise that sounded like that made by some sort of wild beast that had been wounded—a sound between a growl and a howl. He did not

BEFORE THESE MEN THE "GRIM WIDOW" FACES DEATH



Twelve jurors into whose ears are pouring the weird details of an alleged love tangle in the lives of Mr. and Mrs. Harry Agee—a tangle that resulted in the tragic death of Agee and the indictment and trial of his young wife on charges of first degree murder. The following men will be asked, the state's attorney has indicated, to proclaim Mrs. Agee's life forfeit to the state: Front row, from left, Chester W. Hopkins, George Ellis, William N. Akers, Wesley D. Hill, Henry C. Rigby, August Ackerson. Rear row, from left, B. W. Thomas, Charles Rayburn, Albert E. Holcomb, William D. Hoekins, E. B. Wright and W. G. Whitcomb. In the foreground is the court reporter and on the bench is Circuit Judge R. G. Morrow.

say a word. I looked out of the window and saw Mr. Agee in the center of the front room, coming towards the door. He stepped out the door and stood leaning over.

"At first I thought there was a beast in the front yard and he was looking for it. When he fell to the porch I knew something was wrong."

"What did you do then?" he was asked.

"I went back to bed."

WOMAN'S SCREAMS HEARD

Later, under cross examination, he said he thought Agee was in an epileptic fit and that it would be better to leave him alone.

Although every other neighbor testified to hearing Mrs. Agee's screams, Moss claimed that he didn't hear them until he had gone back to bed. He was probably the closest to any in the house.

Moss got up and dressed after a crowd gathered. When he inspected the Agee bedroom he thought the rear side of the bed, where the defense claims Mrs. Agee was sleeping, was apparently undisturbed.

After making this point for the state, however, Moss made one for the defense. He said the front door was open when Agee came out. The defense claims blood was found on the inside door knob, left there by the murderer, and that it couldn't have been Mrs. Agee because she had no blood on her hands.

Dr. Van Vliet, who arrived at the scene of the murder a few minutes after the crime, testified on the stand in Circuit Judge Morrow's court late Tuesday afternoon that he got the impression from the appearance of the bed where Agee was sleeping that no one had occupied the back side of the bed.

So clear was this impression, he said, that he asked someone whether or not Mr. and Mrs. Agee occupied the same bed. Dr. Van Vliet was called as a witness by the state in the trial of Mrs. Agee for the murder.

The defense claims that Mrs. Agee was who are mortified by an error.

awakened by her husband's struggling and that she leaped out of bed over his feet. Under cross examination of John Collier of counsel for defense, Dr. Van Vliet said he could not swear that no one had occupied the back side of the bed.

DEFENSE SCORES POINT

The defense u. . . the state's own witness Tuesday afternoon to substantiate its theory that a masked man was the slayer.

Dr. Frank R. Menne, professor of pathology at the University of Oregon, told the jury on cross-examination that a razor used to inflict such a wound as that which caused Agee's death would be marked with blood. He further testified, in answer to a question asked by the counsel for the defense, that a person inflicting such a wound would have bloody hands and clothes, as the blood would spurt four or five feet.

The defense will attempt to show, it is understood, that there was no blood on Mrs. Agee's hands of clothes after the tragedy. Dr. Menne's testimony also will be pointed to to substantiate the claim of the defense that Agee was not killed with the razor found in the house after the murder.

JURY VISITS MURDER SCENE
Dr. Menne's cross-examination took place after the return of Judge Morrow, the jury and attorneys for the state and defense, from viewing the scene of the tragedy. The jurors were taken from the court house to the former Agee home at 1:15 o'clock in the afternoon, returning at 3:30, when the trial was resumed. Dr. Menne gave his direct testimony, describing the wound, before the trip was made.

Judge Morrow announced that, to expedite the trial, court would be in session tonight from 7:30 to 10 o'clock.

People who can't spell soon quit worrying about it; it is only those who can sacrifice. It's Katherine MacDonald's finest production.

Guard of Honor To Meet Bodies of Overseas Soldiers

When the bodies of 43 American overseas soldiers arrive in Portland from the battlefields of France at 7:30 o'clock this evening, they will be met at the Union depot by a guard of honor, composed of a company of the Oregon National Guard, headed by Governor Ben W. Olcott, Adjutant General George White and Mayor Baker.

The bodies will be brought in an express car to Portland, where two will be taken in charge by relatives. The others will be kept at the Union station until Friday morning, when they will be sent out on outgoing trains to the homes of the next of kin.

FILES IN BANKRUPTCY
Court judgments and accounts with local firms against Guy C. Manning, Portland resident, total \$1255.35, according to a petition in bankruptcy which he filed this morning. He has only \$50 with which to pay the total, he says. Manning asked exemption for his furniture.

GARAGE ON FIRE; DAMAGE \$5000

Spontaneous combustion is blamed for a fire which did \$5000 damage to the Ladd Addition garage, East Thirteenth street and Hawthorne avenue, at 12:45 o'clock this afternoon. The fire started in the paint room and spread over most of the oil soaked building before the first fire companies arrived. Two automobiles stored in the building and several new bodies in course of construction were badly damaged.

The exterior of the building is of concrete blocks and the interior is frame construction. Many windows were broken by the heat. The Laffaw Motor company runs the garage. Until a few months ago the building was occupied by the Francis Motor Car company.

A large amount of apparatus was rushed to the scene by fire officials as two alarms were received from neighborhood boxes. The blaze was soon brought under control. Fire Marshal Grenfell said he could not determine the exact cause, but attributes it to spontaneous combustion of oily rags in the paint room.

ADMITTS BOTHERING GIRL
Vancouver, Wash., July 27.—M. P. Clark was allowed to plead guilty to a charge of attempting to seduce a 12-year-old girl and was sentenced by Judge Kirby to serve eight months in the county jail.

K. of C. Delegation From East Due to Arrive on Thursday

Supreme Knight James A. Flaherty, Knights of Columbus, and a special train of K. of C. eastern delegates and visitors to the Knights of Columbus International "America First" convention at San Francisco, will arrive at Portland Thursday morning. The convention will be the largest in the history of the Knights.

of Columbus drawing 30,000 to the coast. Portland Knights of Columbus are making arrangements for the entertainment of the visitors upon arrival. J. P. Hanley has charge of the committee.

GLASSES CORRECTED
Dr. A. W. Ruhndorf
Phone: Main 3205. 504 Broadway Bldg. Opposite at Broadway

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