

FIRST ROUND WON BY PURSE SEINERS IN COURT DECREE

Judge Coke Dismisses Demurrer in Astoria Case, Permitting Temporary Injunction to Stand.

Astoria, Or., Aug. 20.—Dismissing the demurrer entered by the state in the case in which a temporary injunction was granted by Judge Eakin, preventing Oregon fish wardens from arresting purse seiners bringing fish caught during the Sunday closed period into the Columbia river for sale, Judge Coke of Marshfield today declined to dismiss the temporary injunction granted by Judge Eakin. The state was given 20 days in which to file answer.

While not settling the case the decision is a temporary victory for the purse seiners. It will allow them to fish during the present week-end. The ruling made no attempt to determine the constitutionality of the law, which was attacked by the purse seiners, and merely denies the state's request to suspend the temporary injunction.

The fight against the purse seiners and the advantage they have gained in the courts will be continued after the fishing season has closed Thursday and the final legal decisions on the present law may not be expected before winter.

In the case of the purse seiners arrested by the fish wardens for bringing fish caught outside of Oregon waters into this state for sale, though the fishermen were not possessed of licenses to fish in Oregon water, Judge Coke ruled that the men had violated no law and that they should be released and their bond money refunded them. The decision in the two cases were filed by mail from Marshfield and were received by the county clerk today.

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BRUMFIELD IN COURT; PLEADING IS WAIVED

(Continued From Page One)

He walked into the Square store, owned by Mrs. George Burchard, and asked for a packing box. It was given him. This was the box which the dentist later filled with woman's undergarments and shipped to Seattle—the box which betrayed him later, when he wrote from Canada for it—the box which still remains as the 'big, unexplained mystery' of the case.

Where he was between then and 1:45 o'clock is part of the mystery.

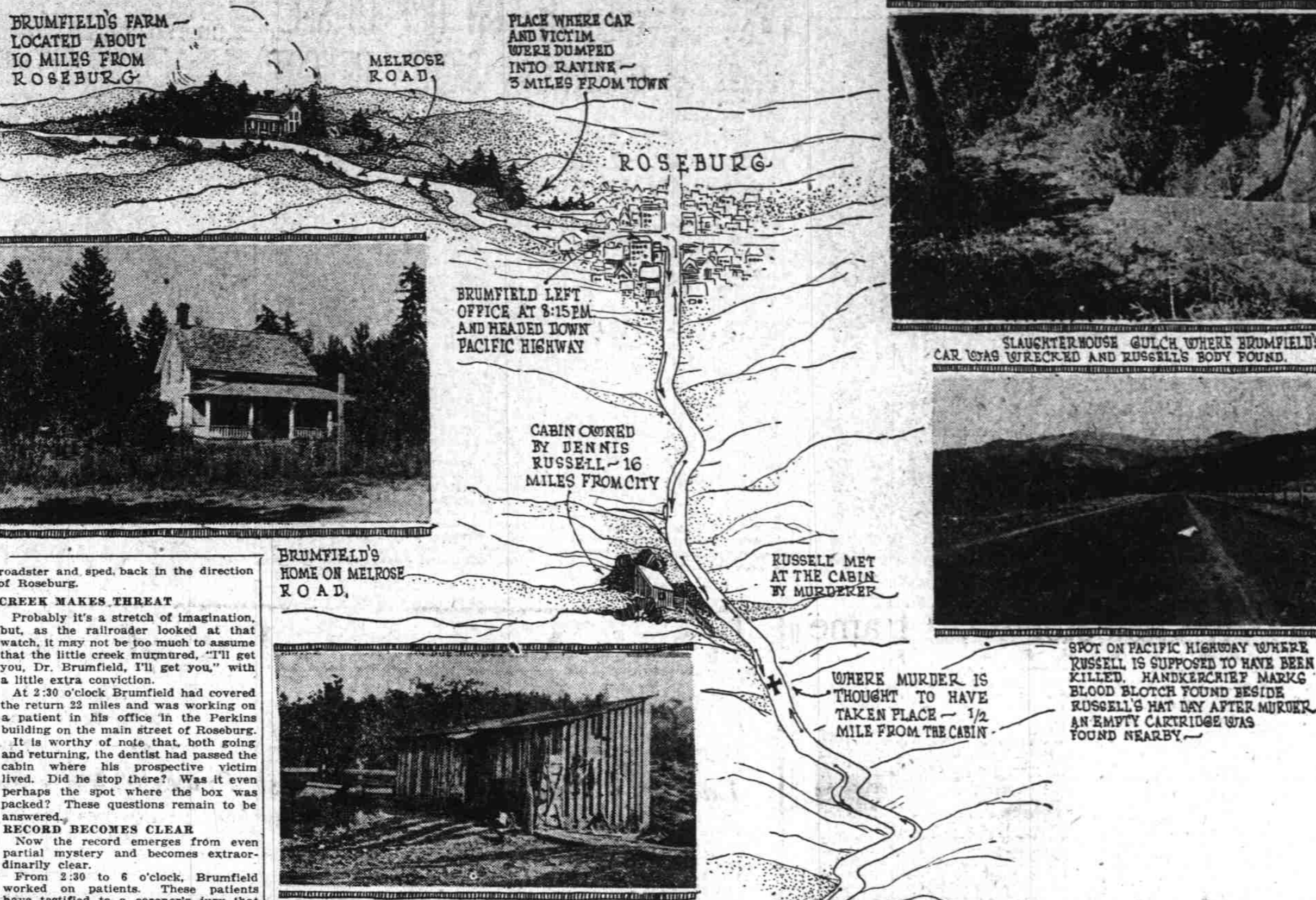
FINK SILK SKIRT ENTERS

But, during that time, it is known he filled the box with woman's underwear—and that included in this woman's underwear was the famous pink silk skirt, which had been purchased that morning from Mrs. Burchard by a woman still to be identified.

When the transfer of the skirt from the woman to Brumfield took place is not known. It must have been accomplished speedily, however, for at 1:42 o'clock Brumfield was in Myrtle Creek, 22 miles south of Roseburg on the Pacific highway.

The exact time is known, because the two men who saw him were railroaders, and one of them, true to habit, looked at his watch. He also called the dentist by name, but Brumfield did not reply. Instead, he jumped back into his big

DRAWING SHOWING SCENES AND PLACES INVOLVED IN ROSEBURG'S MURDER



roadster and sped, back in the direction of Roseburg.

CREEK MAKES THREAT

Probably it's a stretch of imagination, but as the railroad looked at that watch, it may not be too much to assume that the little creek murmured, "I'll get you, Dr. Brumfield, I'll get you," with a little extra conviction.

At 2:30 o'clock Brumfield had covered the return 22 miles and was working on a patient in his office in the Peckings building on the main street of Roseburg. It is worthy of note that, both going and returning, the dentist had passed the cabin where his prospective victim lived. Did he stop there? Was it even perhaps the spot where the box was packed? These questions remain to be answered.

RECORD BECOMES CLEAR

Now the record emerges from even partial mystery and becomes extraordinarily clear.

From 2:30 to 6 o'clock, Brumfield worked on patients. These patients have testified to a coroner's jury that they noticed nothing unusual in his actions. Shortly after 6, he went out and ate a dish of ice cream. His movements from then until 7 have been traced and found casual. At 7 he went back to his office and worked on some more patients. At 8:30 o'clock he came out with three bundles under his arm, rode down in the elevator and got his car.

"Surely a sane man would not have gone calmly about his business in this way," say Brumfield's adherents.

OTHER SIDE DIFFERS

"Brumfield was acting his part, calculating every move toward the end that no suspicion except that of accident should be entertained toward the manner of his death," says the other side.

But the moment was near when calm should vanish from the scene. The next three hours were to be the busiest of Brumfield's life.

From his office, Brumfield drove directly to the little one-story shack where his victim lived when he was not working at odd jobs in town. Russell has been described as a hermit. He was

not. He was one of the type of men who are to be found about every small town—contented with his dog and his shack and a bare living—always ready to help out when anyone was ill-known to virtually everyone and well liked by everyone who knew him.

GRIM FATE BITTS IN

His shack is 12 miles from Roseburg. Brumfield must have gone there directly, because:

South of Russell's shack the Pacific highway curves into a three-quarter-mile straightaway. Down this straightaway, at 9:10 o'clock, drove W. E. Bowman, proprietor of the Club cafe in Roseburg. He saw Brumfield's car standing by the side of the road, a tabout the center of the stretch. Recognizing the big red roadster with its lice wheels, he stopped with his headlights only a few feet from its rear. A glance showed him Brumfield was standing near the front of the stalled roadster, on the outside of the road.

"Having trouble, Doc?" he called.

At 9:10 o'clock, Brumfield was seen one-half mile south of Russell's shack, and it was there that fate really butted into the dentist's plans with a vengeance.

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"DOC'S" REPLY IS SPEED

Then his astonished eyes beheld Dr. Brumfield leap on the roadster's running board, drag a crumpled figure from the seat and start southward as rapidly as gears could be shot and motor speed.

"I thought he had a woman with him and that they were both stewed," says Bowman's explanation of the impression the incident left on him. "It was Brumfield all right. My headlights were shining straight on his face. I didn't know he was a roadster, and it surprised me."

"DOC" IN HANDS OF HIS FRIENDS

(Continued From Page One)

"George," the "Doc" says, "I'm mighty glad to see you back tonight. Glad you mightn't believe it, but I consider you one of the best friends I've got," and George grins.

"That's the kind of a man 'Doc' is—hail fellow well met with everybody, no false pride about him, calls 'em by the first name, willing they should call him by his, just one of the boys.

In the old days they say "Doc" wasn't that way. Some persons even declare that he was accustomed to pass up good fellows like Sam and George with a very perfunctory nod. But "Doc" has seen the light. Adversity has brought its usual miracle, and humanity blooms generously in his heart.

SPIRIT IS INFECTIOUS

As for George and Sam, well, they just naturally can't be expected to treat "Doc" like an ordinary criminal. Of course, they had to hunt him up when they found another man under the "Doc's" automobile, with the "Doc's" clothes on and a couple of bullet holes through his back, but that's no reason why they should be disagreeable about it.

"Sam," George says, "I don't believe it would be a good idea to put 'Doc' in the regular bull pen. I guess we'd better fix him up in the woman's quarters on the second floor.

So "Doc" gets an airy apartment instead of a cell.

"Doc's" wife comes to visit him, of course. If jail custom were strictly followed, she would be watched to see that she didn't pass "Doc" a cold chisel, or an automatic pistol, either of which would be quite sufficient to effect his deliverance from present surroundings.

LIKE HOME FOR "DOC"

But, of course, in the case of "Doc" that would be ridiculous. So Sam calls Percy over and says: "Percy, you can just shut the door and leave them in there together." So "Doc" and "Mrs. Doc" are allowed to chat in the strictest seclusion for well, yesterday, it was for about eight hours.

Of course, if the "Doc" were mean enough, he could take that occasion to patch up some holes in a defense which on casual inspection appears to need

patching rather badly, but of course "Doc" wouldn't.

"Why, Sam," "Doc" himself assured the sheets at the conclusion of yesterday's conversation, "we didn't talk about a thing except the children and—well, some more personal matters. Not a thing."

It's been that way ever since Sam and Percy went up to Clatsop and got "Doc" out of the hospital.

George said he felt the same way about it. So "Doc" has completely escaped any shadow of the rigorous questioning which is usually the lot of persons charged with murder.

Of course, it is possible that under such questioning, the "Doc" would have told who the woman who bought a pink skirt for him the morning of the murder, and why he shipped that pink skirt to himself, and how a couple of bullets from his rifle strayed into Dennis Russell's body, and why he lent the late Mr. Russell his clothes just before that gentleman chose to perish beneath his automobile, and a lot of other things which the jury will want to know when the case comes up for trial. But then that would get the "Doc" all bet up, and anyway, George says he's got more than enough evidence to convict.

MAY MAKE IT HOT FOR "DOC"

The "Doc" is going to get his all right, George says. He was a good friend of "Doc". They are even brother Elias. But that isn't going to swerve George—not a particle.

"Justice is going to be done," George says, "you can count on that."

They are good people, are George and Sam. Maybe they are a little better to "Doc" than they would be to the average accused murderer—say to defunct Mr. Russell if matters were reversed—but not so very much better. After all they possibly reason, "Doc" isn't such a bad guy. He did let himself get caught on casual inspection appears to need

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"COMMODITY" TERM APPLIED TO THE FAIR SEX IN ENGLAND

Sociologist Says if Surplus of Women Continues Civilization Will Be Menaced by Disaster.

London, Aug. 20.—(L. N. S.)—Woman must be regarded as any other market commodity—butter, eggs, wheat, cotton or stocks and bonds.

Her "worth" in society—the respect man has for her—depends exactly upon the demand, just as the law of supply and demand governs the price of butter and eggs. If the present surplus of unmarried women, resulting from the World War, continues her value will decline and civilization will be threatened with disaster.

In this exceedingly blunt manner Professor Patrick Geddes, eminent English sociologist, deals with the problem of what to do with the 10,000,000 "surplus" women of Europe, a problem that has stirred the minds of leading French and German sociologists ever since the after war census statistics showed its gravity.

WHEN CIVILIZATION IS HIGH

"Civilization is high or low according as women are at a premium or at a discount," says Professor Geddes. "In the present circumstances our one hope is America. There women are not so numerous. There is keen competition for them and they choose their own husbands. They are more highly respected, and if they retain that respect they will make their influence felt in Europe, despite the seemingly hopeless situation of many women here."

EMPLOYMENT SUGGESTED

Other English social workers generally reflect Professor Geddes' views. With one accord they reject the suggestion of a French writer that European nations should save their unmarried daughters by legalizing polygamy.

"The gravest and most urgent need of our times is to give the women who can marry something else to fill up their lives," says Miss Lillian Barker director of a women's employment and training. There are hundreds of thousands of women who cannot marry and who, unless they are helped, cannot get a job.

CIVIL SERVICE PREVAILS IN FEDERAL OFFICES

(Continued From Page One)

they must be filled from the civil service lists.

SUBPATRONAGE NIL

Now as to the collector of customs, which apparently is to go to George U. Piper. This prize, obviously, was bestowed on the insistence of Senator Stanfield. The lukewarm relations that existed between Stanfield and the Republican organization during the campaign are recent history. Thus when Piper, of buttonholing visitors at the headquarters of the Harding and Coolidge club over which he presided in the Hotel Portland would put a word in for Stanfield, he was bound to ingratiate himself with the new senator. This service doubtless laid weight with Stanfield regardless of any other considerations that might have appealed to his fancy.

But Piper gets a job and that is about all. He will enter a citadel of civil service for every attaché of the customs office in this district, with the exception of one whose work is at Newport and whose annual emolument is \$300 is under federal regulation. So much for that.

AS TO MARSHALSHIP

Now for the marshalship for which Major Clarence U. Hotchkiss is recommended. As United States marshal he will have at his disposal the appointment of seven deputies with salaries ranging from \$1540 to \$2240 and of two bailiffs. This is not a great deal of material with which to satisfy the earnest seekers, but it is more than his colleagues will have.

Here again the organization scored. Hotchkiss is satisfactory to State Chairman Tongue. And political gossip recalls the foray which Jack Day, Multnomah county chairman, is credited with having contemplated a year ago with the purpose of supplanting Tongue as state chairman, with Joe Dunne, leader of the Lowden forces. The plan failed. Incidentally Jack Day has been lost sight of in the distribution of jobs. The elephant never forgets.

SPOT ON PACIFIC HIGHWAY WHERE RUSSELL IS SUPPOSED TO HAVE BEEN KILLED, HANDECKER MARKS BLOODY BLOTCH FOUND BESIDE RUSSELL'S HAT DAY AFTER MURDER. AN EMPTY CARTRIDGE WAS FOUND NEARBY.

CAR WITH VICTIMS BODY TURNED IN SIDE ROAD 3 MILES FROM PLACE OF MURDER

RUSSELL'S SHACK ON PACIFIC HIGHWAY.

CAR TURNED IN AGAIN HERE 5 MILES BELOW FIRST TURNOUT

HERE AT 1:50 PM ON DAY OF MURDER

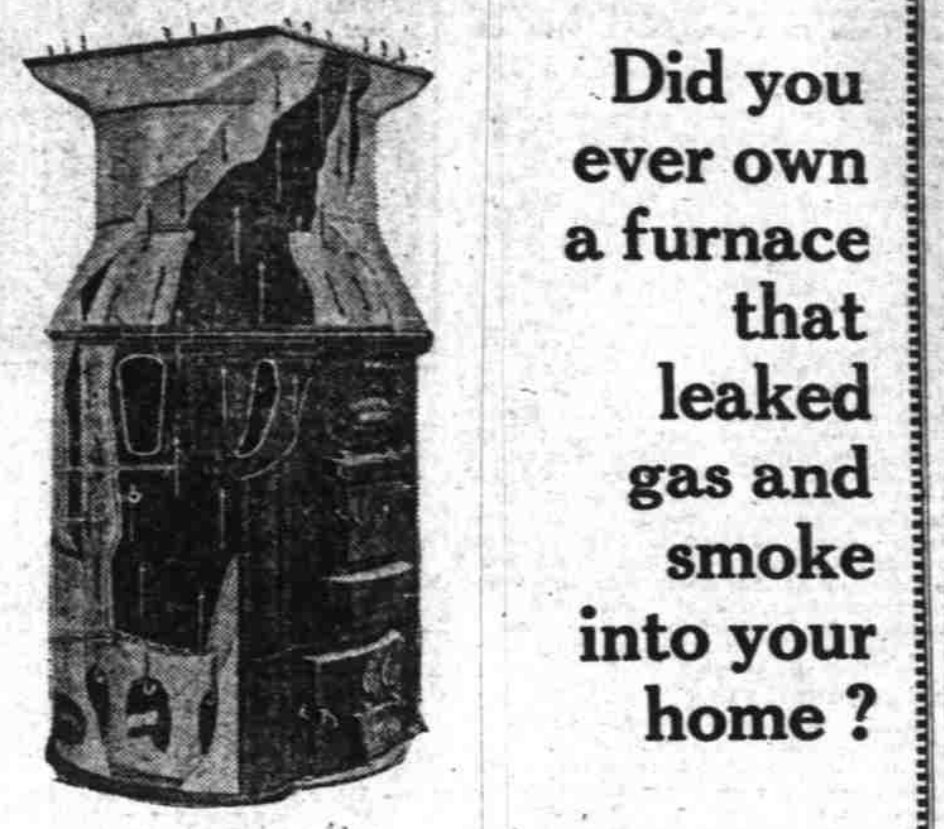
MYRTLE CREEK BRUMFIELD EXPRESSED BOX HERE AT 1:50 PM ON DAY OF MURDER

Men of 50 Unable To Smell Hootch, Says Prohi Agent

(By Universal Service)

Chicago, Aug. 20.—Can a man smell hootch after he is 50 years old? Evidently R. A. Haynes, commissioner of Federal prohibition, does not think so, for he sent word to the Chicago offices today not to employ any liquor sleuths who are not on the sunny side of the half century mark.

"A prohibition agent has to take a lot of physical risks," said John Kjellander, state prohibition director. "His best years of service naturally are when he is young, when his eyesight is good and his feet are agile."



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The manufacturers of the International Furnaces overcome the objectionable features of gas and smoke leakage by constructing their furnaces of cast iron throughout, eliminating bolts and rivets by the use of core castings, which give absolute assurance for all time to come that your furnace will never leak smoke or gas.

We back our assertions up with a written guarantee that these core castings will never crack or burn out, as the metal is of uniform thickness throughout.

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