FOREMAN OF JURY **DECLARES STATE'S** CASE AN INSULT

San Francisco, Dec. 5.—Sharges that of the two minority members" of the Roscoe Arbuckle jury told fellow until hell froze over." were made Sunday light in a signed statement by August trie, foreman of the jury.

Fritzie's statement purported to tell during the 44 hours it was locked up and able to agree on a verdict in Arbuck-'s manslaughter trial.

Fritzie criticised the prosecution for ming "indecent" language with women in the jury and denounced Assistant District Attorney Milton U'Ren bitterly. He said he made the statement as a "duty to the public, despite an agree t among members of the jury not to make individual statements." None of the other members of the jury ade any pertinent statements.

VOTED ON EVIDENCE Mrs. Helen Hubbard, said to have been of the "conviction contingent, refused to answer any questions what-

Fritzie's statement sald: "I make this statement as a duty to

"I believe, as foreman, that it is well those interested in the administra-Francisco should have all the facts. "The 10 members of the jury who ted on the last ballot for acquittal elt that they voted on the evidence-

ully considering it all. "One of the two minority members re ing and said at the opening of ity" for the jury to agree. roceedings that she would cast her balot and would not change it until hell "The other was fluctuating, sometime

or the defense and sometimes voting or the prosecution. Considering all the evidence it seemed to us that the prosution's case was an insult to the ligence of the jury. DIDN'T LIKE LANGUAGE

"It asked us to substitute conjectures or facts without showing what had been ne and asked us to guess what might have been done and to guess one way

mybody, but upon evidence. "The one feature of the case that fillsome of us with disgust and caused judge refrained from action of disap-proval of Deputy District Attorney U'Ren's address to the jury. Its lan- Sunday morning. mage and invendoes were indecent. "Why can not a case be tried without ocking the proprieties? Morals should some recognition in the courts, certainly in the district attor-

ney's office, which is supposed to repthe people. There can be no exse for coarseness and vulgarities verging on obscenities. This is particularly applicable where women sit on

(Continued From Page One

declined to discuss today a report pub-lished here that he had received teleic threats at his home last night. statement to make in a "day or so." but refused to affirm or deny that he had een threatened

ASK TO SEE JUDGE

Arbuckle faces a federal charge of having liquor in his possession and this KILKENNY SHIFTS vented him leaving at once for his Los Angeles home with his wife, her mother and his sister. The end of the famous trial came Sun-

The jury had returned to their deberations at 10:30 a. m. after spending the night locked in their hotel rooms. paper, and many more orally. The first five ballots ran as follows: They took one ballot. It stood 10 to 2a man and a woman voting for a ver-dict of guilty, and 6 men and 4 women for acquittal.

At 11 o'clock the jury for a third time asked to see Judge Louderback. He was reached by Bailiff Harry McGovern and rived at the Hall of Justice shortly ore 12. He came into the courtroom at the stroke of 12 and 10 seconds later nto the jury box.

terburn and some person whose identity

Jury Foreman Fritze reported that it never has been discressed, voted "guilty."

Arbuckle, Lawyers, Judge, Jury Foreman bill



was more conversant with medical terms

and so anxious was she not to do an

"I don't know what to do," she told

So polgnant was Miss Winterburn's

"My conscience hurts me," she said to

one of the jurors Saturday night after

They might as well have saved their

TTEMPT MADE TO APPROACH

more than 24 hours.

thoughts as ballot followed ballot that

of speech were loosened and the jurors ing of them all in her creations to this

began to talk. Some reluctantly, others duty which she felt lie so heavily upon

pired during those two days in the jury of mature age, possibly 40, charmingly room began to get the light of day. dressed, but quietly. She has seen and

Hubbard would not talk. She was met has undergone several severe operations by a friend at the door of the court- as the result of an accident, and thus

"Get me out of here quickly," she said, than the others and understood the tech-

elevator and out through police head-quarters into an alley. She declined to fered in that jury room. So keen was

and what they had to say was received injustice that she was continually in with special interest. This is the first state of mental conflict.

have sat and their attitude was eagerly the other women. "Sometimes I think sought."

There were five women on the Arbuckle jury. Three of them, Mrs. Kitty the dead girl, about her character, I MacDonald, Mrs. Dorothy O'Dea and might be able to decide more clearly."

Winterburn vacillated. She voted for she hearly collapsed, Saturday night, acquittal and she voted for conviction, from mental strain.

but she rather favored a conviction.

Mrs. Hubbard was for conviction from the start and never changed her vote. It was she who really "hung" the jury.

And this morning she

Twenty-two ballots were taken, on DISBELIEVES STORY

willingly, and the details of what trans- her. She is a studious, cultured woms

There was but on exception. Mrs. Helen read much about men and things.

and the friend took her down the rear nicalities of the expert testimony.

iscuss the matter with reporters.
But the other women felt differently,

big criminal trial in which women jurors

Mrs. Adelaide Nelson, were for acquittal, first, last and all the time. Miss Louise

All the men were for acquittal, except

On the first ballot Kilkenny, who has

ad considerable jury experience, cast a

for an adverse verdict.

Not guilty. Guffty. Blank.

Above-Roscoe Arbuckle, with his attorneys. Left to right (seated), Gavin McNab. Charles Brennan. Roscoe Arbuckle; standing, left to bia river, \$11,000. right, Milton Cohen and Nat Schmulowitz. Insert, August Fritze, foreman of the trial jury, who was for acquittal. Below. Judge Louderback, who heard the

etter, urging her to acquit Arbuckle. Mrs. Hubbard also made a charge of ntimidation against several of her fellow jurors, including August Fritze.

foreman of the jury.

Mrs. Hubbard further charged that acting Lieutenant of Police William Lambert had attempted to communicate said to be connected with Oliva in busi-

ness,
All those mentioned by Mrs. Hubbard will be subpensed to appear before the And this morning she voted "not grand jury, District Attorney Brady guilty" after having voted "guilty" for stated.

Charges were also made by Balliff one, Thomas Kilkenny. He shifted his Mrs. Hubbard had no such misgivings. you several times from "innocent" to From several different sources a fairly Harry McGovern that mail sent to Miss Louise Winterburn, the only unmarried "guilty," but he was inclined to believe accurate account of her attitude has woman on the jury, whose vote is said Arbuckle guilty, and the last ballot been obtained as demostrated by what to have swung from acquittal to confound him voting with Mrs. Hubbard she said and what she did, in the jury viction several times during the course of the balloting, at the Hotel Manx while she was locked up, had been opened, read and sealed again. McGov-ern is still in possession of the letters. When they first entered the room, she voted "guilty" twice in succession. Then

a general argument ensued with every-one talking at once. Another ballot was taken, Mrs. Hubbard still voting "guilty." The general hullabaloo re-Freewater Store to Be Given New Life sulted in Foreman Fritze suggesting a more orderly method, and each spoke in

turn, giving his or her reasons for the Freewater, Dec. 5.-The J. A. Schmidt "I believe Arbuckle guilty," said Mrs. Hubbard. "I don't believe his story. I business here for the last 12 years, has passed into the hands of a number think it is an entire falsification, and think most of the other defense witusiness men and ranchers, and will be known in future as the Peoples Mer-centile company. The new company From that statement the readers may conjure a mental picture of Mrs. Hubwill be incorporated for \$40,000. J. H. bard. She is about 45 years old, the Hall, who formerly lived in Freewater wife of a lawyer and is possessed of a keen mind and a tremendous amount but who has been in Walla Walla for a few years, will be the manager. He, with E. P. Jensen, H. S. Murray, J. F. figure, black-clad, radiates considerable Hansen, W. A. Goghill, J. H. Moeller and E. E. Martinand, are the stockconfidence in her own opinions. Her mouth is thin-lipped, her chin firm. No

Toledo Residents Have Water Again

pumping plant was in operation Saturas compared with \$3,197,807,962.10 for day, and the city again has water in 1922; postal service, payable from postal sections. During the flood of two tal revenues, \$76,238,066, as compared all sections. There was as much chance of moving her as of moving the Hall of Justice. In fact, instead of inducing lines supplying the city from Mill creek ing postal service, \$3.801.114.659.53, as were washed out. If the pumping plant proves satisfactory the city may aban-Winterburn were wavering when they don the his began their orations with Mrs. Hub-bard. But the conversations became of the city. don the high line and use the pump continuously for the higher portions

ard. But the conversations became nonotonous and the two who went to nonotonous and the two who went to argue, returned to vote the same way East Is Warned of

New York, Dec. 5 .- A cold wave, fol-

Safe Milk for INFANTS and INVALIDS

000,000 now held in the naval supply account of the navy department." This transfer of funds was suggested to the president by General Dawes for

New York, Dec. 5.—A cold wave, 101lowing a snowfall that lasted all day
Sunday, will prevail throughout Monday,
according to the weather forecast. The
smowstorm was the first experienced by
New York, in fact the entire Atlantic
roast.

Horlick's

960.91; 1922, estimated, \$2.943,452,663; 1938, estimated, \$3,338,182,750.

Total expenditures (including reduction in principal of public debt)—1921 actual, \$5,538,040,689,30; 1922, estimated, \$3,967,922,366; 1923, estimated, \$3,505,754,-Excess of expenditures—1922, esti-mated, \$24,468,703; 1923, estimated, \$167,-Excess of receipts-1921, actual, \$86,-

budget was summarised by

(These amounts are exclusive of postal

revenues and postal expenditures paid

The report of General Dawes was not

ment during the coming year, but it dis-

Dawes scored the custom of making

'deficiency" appropriations, declaring

condition of things under which it is im-

gress or secretary of the treasury to

have before them a true picture of the

fiscal condition of the government at any particular time."

ficiencies and clearly indicated that its

ent as follows:

rora postal revenues.)

DAWES SCORES CUSTOM

ation is made.'

of the government," Dawes said.

agencies such as he referred to should

employes, and not by legislation "where

their personnel would necessarily be

The director discussed the contem-

plated regrouping and reorganization

of government departments and said

that if the report of the congressional

commission charged with this work is

accepted in principle, such legislation

would greatly simplify the preparation

CAUSE OF RED TAPE

892,271.61.

By Hudson Hawley United News Staff Corres Paris, Dec. 5.—Bluebeard Landru

called by many the "monster of the Gambais villa," has completely lost his nerve since the jury found him guilty

Hope has left him. He sits in his cell, hour after hour, never speaking to proper operation and development of the his jailers, scarcely touching the food budget act passed by the last extraordithe nary session of congress.

Landru's jailers predicted this change n him, the only instance of any one's forecasting a mood of this amazing man-During the two years that he lay in jail awaiting trial his nerve was strong, his manner flippant or defiant. He joked about the guillotine then, always insisting, however, that he would never lay his head upon the "moon"-the rooved block where the murderers of France meet their end.

Even in court during the long days of stress when his fate was being prepared by the prosecutor, Landru maintained his nerve, and utterly bewildered annual appropriations were intended to those who tried in vain to place him in limit the amount to be expended for such period, yet millions of dollars have been But the jailers always said that when annually spent by the departments above Landru actually came to the guillotine the estimates submitted at the beginning

Now he is fast losing weight. He sits due to the great sums appropriated in with his head bowed, thinking of the connection with the war, hundreds of hour when he will be called from his millions of dollars have been so excell to pay with his own life for those pended by the departments, a course of the 10 women and one man whom made possible, by deficiency and supplekilled. The jailers say he is seized mental appropriations, the existence of with a terrible fear of that sharp, whin- revolving funds and unexpended baling knife on the scaffold. ances." Landru has one more chance, but he bases no hope upon it. That chance lies

jury in the Versailles court. If the ap- which the budget is based, "will not" be is turned down, however, he must permit the barber to shave off that proud initiated by congress or by the execubeard and his head as well. tive as a result of emergency or of un-His own suit and his leather shoes will forseen conditions arising after the be taken from him, and he must put on preparation of the budget.

coarse woollen prison uniform and

the awkward wooden sabots of the BASED ON ACTUAL NEEDS led out at dawn and placed in a narrow box-like arrangement, strapped to a board and tilted forward, face down, by congress to cover the same period," his neck directly under the blade of the guillotine. There will be a signal.
"Monsieur Paris" will press a buttonand Landru will be no more.

U. S. BUDGET GIVES

increase of \$9700 over the current year. tract with the sanitarium company of Portland, \$134,150, an increase of \$7100 over the present year.

DAWES TRIMS MILLIONS FROM U. S. 1923 BUDGET correction. The less cumbersome the Washington, Dec. 5 .- (I. N. S.)-President Harding today submitted to congress a definite and comprehensive estimate of the financial requirements of will be the functioning of the governthe federal government for the next ment as a business machine."

fiscal year. The national budget of 1923-the first in the history of the United States | be created from the body of existing calls for appropriations aggregating \$3,505,754,727. This is a reduction of \$462,167,639 under the estimated expendibulit up by outside appointments."

tures of 1922, and \$2,032,285,962.30 less

The director discussed the co than the sum expended by the government in 1921. FIGURES COMPARED

Estimated appropriations for 1923, submitted to congress today by the presdent, were as follows:

Legislative, \$16,493,845.95, as compared of the national budget in future years. with \$17,196,203.93 for 1922; executive office, \$288,880, as compared with \$228,880 for 1922; state department, \$10,580,961.16, as compared with \$10,637,760.09 for 1922; treasury department, \$161,665,897.87, as compared with \$164,692,941.29 for 1922; war department, \$360,500,923,47, as compared with \$338,536,062.41 for 1922; Panama canal, \$4,241,174, as compared with \$9,000,000 for 1922; navy department, \$425,952,367.13, as compared with \$425,-848,679.37 for 1922; interior department, \$33,380,865, as compared with \$46.400,-205 for 1922; Indian service, \$32,558,077, as compared with \$46,400,205 for 1922: pensions, \$252,350,000, as compared with \$265,500,000 for 1922; postoffice department, \$3,412,000, as compared with \$3,-Mercantile company, which has been in 241,750.55 for 1922; department of agriculture, \$46,860,668, as compared with \$48,349,559 for 1922; department of commerce, \$20,675,326.25, as compared with \$17,265,060 for 1922; department of labor; \$6,564,632, as compared with \$4,994,835.75 for 1922; department of justice, \$18,505,-1922; shipping board and fleet corporations, \$50,501,500, as compared with \$72,-959,000 for 1922; United States veterans' bureau, \$385,921,702, as compared with \$230,572,620 for 1922; other independent offices, \$22,997,001, as compared with \$21,675,335 for 1922; District of Columbia, \$27,195,476.75, as compared with \$22,559,712.99 for 1922; reduction in principal of the public debt, \$369,838,800, as compared with \$387,942,200 in 1922; interest on the public debt, \$975,000,000, Toledo, Or., Dec. 5. — Toledo's new from postal revenues, \$3,224,875,593.53,

> compared with \$3,771,900,514.01. URGES NAVY LEGISLATION In addition to laying before congress the itemized list of estimated expendi-tures and the report of Brigadier Gen-

eral Charles G. Dawes, the director of the budget, the president recommended Coming Cold Wave legislation in connection with the 1923 havy appropriation bill, with a view to the "eventual automatic release of \$100.

find themselves in a position similar to the fellow who "held the sack" while his jovial friends beat the brush for concerned only with the setting forth of the estimated needs of the governspipe to drive into the receptacle. It all comes about from the fact that two Japanese liquor smugglers were arrested cussed the entire problem of appropria-tions and pointed out how savings have on shipboard, taken forcibly ashore by customs inspectors and sent to jail after conviction in the federal court.

Now the mmigration department which has the job of keeping undesirable aliens out of the country, is pow erless to act until the prisoners get out that the "method of appropriating money of jail. By that time the ship that brought them into Portland will be well possible for either the executive, conthe United States must pay for the deportation of the smugglers. FIND 25 CASES

> The 25 cases of "Scotch" whiskey aboard the Japanese steamer Denmark Maru, prompted the little game. After locating the whiskey the customs officials arrested Jchitara Kume, quartermaster, and Tsuman Kono, fire-man, and charged them with illegally possessing liquor in the United States. customs officials relieved them-

selves of further responsibility by pre of the fiscal year, and in recent years, States attorney and by signing a complaint before the United States commissioner. The commissioner soon discharged himself by issuing a warrant for the arrest of the men and turning the warrant over to the United States The marshal's worries were not long-

Dawes expressed confidence that the lived, for within a short time he had in his appeal from the decision of the estimate of expenditures for 1923, upon the defendants removed to the federal Friday the United States attorney ab-

solved himself of further responsibility cers were elected: Noble grand, S. R. when he took the two men before the Ramsey; vice grand, C. A. Bliss; finan-United States district court. it taking the judge only a few seconds J. F. Craddick.

Then the prisoners were led to the clerk's office. They had no money to pay their fines. The marshal called the captain of the vessel. He had already washed his hands of the transaction. He would not pay the fine, because the law had been wilfully violated, but not with his consent or connivance. The vessel

nis consent or connivance. The vessel will return to Japan without the two saillors, he said.

So the marshal returned his charges to the county jail, where they must serve 30 days, after which they may take the pauper's oath and be released.

But wait—

Here's where the sack holders sten in Just because the prisoners effected technical landing in the United States is no sign they can stay here, says the immigration office. Now it is up to the immigration department to deport the aliens when they are released from jail

Ku Klux Klan Faces Receivership With Arrest for Leaders

Philadelphia, Dec. 5.-Receivership for the Ku Klux Klan and possible criminal action against Edward Young Clarke and Mrs. Elizabeth Tyler probably will be the next move on the part of thousands of klansmen who have resigned from the organization after the nationwide exposures of the klan's working. the Atlantic domain who admits he was "fired," is authority for the statement prophesying legal action. His announcement closely followed word from Atlanta that "Imperial Wisard" Simme had taken to the mountains for his

klan. Atkins said: "Receivership is my idea of what should be done. The other grand goblins who were fired at the same time I was will help in exposing the true state of affairs. Whether we will also file criminal charges will de pend on the concensus of opinion

left in full control of the tottering

MILTON ODD FELLOWS ELECT Milton, Dec. 5.-At the last meeting of the L. O. O. F. lodge the following offi-The cial secretary, W. E. Dawn; recording court's action was the quickest of all, secretary, C. M. Truesdale; treasurer,



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