

The Oregon Statesman

SATURDAY'S MARKET PAGE
Is a good guide to every housewife in supplying the needs of her table. See Tomorrow's Paper for this page.

SALEM, OREGON, FRIDAY MORNING, AUGUST 1, 1924

PRICE FIVE CENTS.

SEVENTY-FOURTH YEAR

MITIGATION OF PUNISHMENT IS DEFENSE PLEA

Darrow Seeks to Have Court Consider the Mental Condition and Degree of Responsibility

ATTACKS STATE FOR ASKING DEATH PENALTY

Enthusiasm of Attorney Crowe Said to Be Most Remarkable in Case

CHICAGO, July 31.—(By The Associated Press.)—Mitigation, not of crime, but of punishment, mercy of judgment, founded not upon the cold letter of the law, but upon considerations of humanity—these were the points emphasized today by the defense in the proceedings which are to determine the penalty that Nathan Leopold, Jr., and Richard Loeb are to pay for the kidnaping and murder of Robert Franks.

Clarence S. Darrow, 67-year-old veteran of court battles, fighting for the principles he has advocated in and out of court for many years, put squarely before Judge John R. Caverly the issue whether considerations of this character are to be written in the jurisprudence of Illinois.

Determined on Hanging

"The state's attorney's office seems to feel the universe will crumble unless these boys hang," he said. He argued in response to a lengthy contention by Robert E. Crowe, state's attorney, backed by the legal lore of Thomas Marshall, indictment expert. Through a day and a half of court procedure, the prosecutor had maintained that evidence of alienists offered by the defense as to the degree of mental responsibility of the youthful murderers was incompetent, irrelevant and immaterial after a plea of guilty had been entered.

"We seek not mitigation of the crime, but only mitigation of the punishment of a diseased condition of the mind, constantly in character, but not amounting to legal insanity," was the keynote of the defense.

Insane and Guilty Impossible

"A showing of mental disease constitutes a showing of insanity the existence of which must be determined by a jury. It can be brought in here only in the defense and withdrawn their pleas of guilty and rely upon insanity as a defense to the crime itself," responded the state.

Throughout the four-hour session of the court the question was debated by the attorneys. Occasionally three or four of them would be on their feet talking at the same time, but for the most part Mr. Marshall held the floor for the state and Mr. Darrow and Walter Bachrach for the defense.

Hundreds of citations from decisions given in this country and England, some of them a century old, were offered by Mr. Marshall and Mr. Bachrach not finished his analysis and comparison of these when court adjourned for the day.

Judge Not Affected

Tomorrow will see a renewal of the legal engagement, but it was predicted Judge Caverly would rule after an hour or two more of arguing.

The court, who is holding in reserve a decision against the state which he gave yesterday, interrupted Mr. Marshall several times to ask him to point out specifically how some of the decisions he was reading affected the present proceedings.

At the very outset of the day's proceedings Judge Caverly told the prosecution that among all the cases cited yesterday he had found none applicable to conditions which faced him.

Mr. Darrow found several opportunities.

THE WEATHER

OREGON: Partly cloudy Friday; moderate temperature; moderate west and north-west winds.

LOCAL WEATHER

(Salem)

Maximum temperature, 82°.
Minimum temperature, 50°.
River, 2.3 falling.
Rainfall, none.
Atmosphere, clear.
Wind, northwest.

WARNINGS SENT TO JAPS TO BE INVESTIGATED

Slips Telling Nipponese to "Get Out" of Fruit Fields Looked Into

SAN FRANCISCO, July 31.—An official investigation of the mysterious warning to Japanese workers in the hop and fruit fields at Hopland, Mendocino county, to "get out" is being investigated by the Japanese consulate here, it was announced today by Guy C. Calden, special attorney for the consulate.

The warning was contained on unsigned slips of paper which were dropped from automobiles in the district.

SAO PAULO RE OCCUPIED

BUENOS AIRES, July 31.—(By The Associated Press.)—The correspondent of La Nacion at Santos, who has paid a visit to Sao Paulo from which the rebels were driven by the government forces last Monday morning, returned to Santos today. He says that virtually all business houses in Sao Paulo reopened today and that the authorities there have begun repairing the damage done during the outbreak which is evident on all sides.

BANDIT PROVES TO BE OFFICER

Former New Jersey Policeman Killed in Attempt to Rob Mail Clerk

EAST ORANGE, N. J., July 31.—The bandit slain at the Lackawanna railroad station here today in an attempt with another to rob a mail pouch containing what they thought was \$70,000 in federal notes, tonight was identified as John J. Mason of Hoboken, former member of the New Jersey state police.

Manson was shot and killed by Eugene Stack, postal clerk, who was on the station platform when the two men opened fire on him in an effort to gain possession of the pouch.

Although wounded in the leg and hand, Stack steadied himself and fired a bullet through Manson's back as he was about to disappear down the station stairway and climb into a waiting taxicab. His confederate got away in the cab.

The bank notes were not in the pouch the bandits sought, having been sent on an earlier train.

MacLaren, British Flier Is Safe at Jap Island

TOKIO, August 1.—(By The Associated Press.)—A Stuart MacLaren, the British aviator and his companions who are on an around-the-world flight, are still at Petropavlovsk, Kamchatka. No details have been received here, but it is believed that they are weather-bound.

MacLaren and his companions arrived at Petropavlovsk on July 25, from Paramashiru, Kurile islands, and expected to leave the same day for west Kamchatka. They encountered dense fog on their flight from Paramashiru.

STONE TO PROBE GASOLINE PRICE

Attorney General Determines to Look Further Into the Situation

WASHINGTON, July 31.—Attorney General Stone has ordered a further inquiry into the gasoline price situation. The report of the federal trade commission on the subject, made at the request of the president, contains information, Mr. Stone said today, which warrants a further investigation of the several phases of the problem.

Department officials described the trade commission's report, which has never been made public, as "very interesting" but indicated that it was "impossible in some ways." Mr. Stone was said to believe that such an inquiry might supply the government not only with a better knowledge of what is going on in the whole inquiry, but with evidence which it might use in its injunction suits recently filed in Chicago to break up selling agreements, based upon use of the so-called cracking process in the industry.

HIGHER PRICES PROMISED FOR FARM PRODUCE

Increased Economic Leverage to Accrue to the Agricultural Sections if Rise Continues

BILLION DOLLAR IDEA RAPPED BY EXPERTS

\$200,000,000 More for Crops Is Best the Department Can Predict

WASHINGTON, July 31.—The agricultural situation promises farmers some increased economic leverage this year, the department of agriculture stated today in announcing that the index of purchasing power of farm products is slowly rising.

At the beginning of July the index of purchasing power of farm products was 79 as compared with the year 1913, representing 100. That is ten per cent higher than ever at that time in the last four years.

In its monthly review the department takes issue with those who have estimated a \$1,000,000,000 increase in the value of the wheat crop over last year's crop.

"It is possible that American wheat growers will get from \$100,000,000 to \$200,000,000 more for their wheat this year than last, assuming that they sell something over 500,000,000 bushels," the department states. "This is considerably less than the \$1,000,000,000 increase estimated in some quarters, but bespeaks an increased ability to pay off debts and a general improvement in financial conditions in the wheat country."

"On the other hand, the corn situation is by no means good. The main significance of the corn situation lies in its effect on livestock production and prices during the coming year. Expensive corn this fall will presumably prolong the liquidation of breeding stocks now in progress. Unless history is a faithless guide, hogs and high grade cattle will be good property before this time in 1925.

"A six per cent increase in dairy cows in the country over last year is reported, the increase being greatest in the west."

EAST SUFFERS FIRES

PORTLAND, Or., July 31.—While coast districts of Oregon and Washington were protected from forest fires today by high humidity, loss to timber east of the mountains was extensive. Reports showed that new fires had burned over thousands of acres and that weather conditions were more unfavorable than ever.

Dolly's Charges Prove "Dud" La Ronda Pierce Held Sane County Officials Lonesome

The tumult and the shouting dies. The alienists and the reporters depart. The court house is quiet save for the drone of routine business being transacted as usual. County Judge W. H. Downing can find no profitable way to employ his time and District Attorney John Carson has a lonesome look on his face. La Ronda Pierce has been declared sane!

The bombshell which Dolly Quartier, "Queen of the bootleggers," exploded by preferring charges of insanity against the former special investigator of Governor Pierce has spent its force and proved to be a "dud." Nothing remains for the redoubtable Dolly to do except to attack the sanity of Dr. W. H. Byrd, county alienist, who examined the defendant and declared him perfectly sound mentally.

The hearing was unexpectedly called and privately held. Attorney General Van Winkle called up Judge Downing last night and advised him that Pierce was ready to voluntarily surrender himself for examination. True to his word Pierce put in appearance at 11 o'clock and was given a brief but thorough mental test by Dr. Byrd.

The examination revealed that Pierce is 6 feet tall and weighs

BAR OF SILVER TAKEN BY MAN BEFORE GUARDS

90 Lbs. of Bullion Calmly Taken by Peddler While Armed Men Watch

NEW YORK, July 31.—While armed men guarded the unloading of a truck load of silver bullion in front of a safety deposit company in the financial district today, George Stein, 36, a peddler, picked up a 90-pound silver bar worth \$750 and calmly walked away without being observed.

He had gone several blocks, passing thousands, before anyone noticed what he was carrying. Patrolman Brown, who arrested the man, said Stein was staggering under the weight of the bar.

SEATTLE PREPARES TO GREET FLIERS

Cities of the Northwest to Be Invited to Join in Great Welcome

SEATTLE, July 31.—Cities of the Pacific northwest were uniting today in planning to welcome three United States army fliers when they end their flight around the globe at Sand Point here. According to advices received by the Seattle chamber of commerce from Washington, D. C., the fliers will arrive here about August 15 and stay three days.

By ending the flight here rather than at Santa Monica, Cal., where the planes hopped off for Seattle, 20 days will have been cut from the time the flight was begun until the planes arrive here. This time was spent flying here from Santa Monica and in making ready to leave here, the planes leaving Santa Monica March 17 and leaving here April 6.

DOHENY DEAL HONEST

LOS ANGELES, July 31.—There is no evidence of "any undue influence or dishonesty" in connection with the letting of a lease to E. L. Doheny's gas-American Petroleum & Transport company on seven acres of municipal harbor frontage at San Pedro, the county grand jury reported today after an investigation lasting over five months.

One Way Traffic Enforced in Portland Streets

PORTLAND, Or., July 31.—One way traffic will be put into effect on several Portland streets tomorrow for the first time in the history of the city.

Some confusion and difficulty are expected for the first few days and practically all of the plan may result in some slight changes. Members of the council predict that the one way plan will speed up traffic and be of general benefit, not alone to motorists, but to merchants in the congested district as well.

SUGAR TARIFF BOARD REPORT FINALLY MADE

Investigation Begun More Than Year and a Half Ago Is Completed—Report Given President

COOLIDGE TO DECIDE ANY CUSTOM CHANGE

Executive Must Make Adjustment Within Maximum of 50 Per Cent

WASHINGTON, July 31.—The tariff commission transmitted to President Coolidge today its findings in the investigation of the sugar tariff instituted more than a year and a half ago.

The sugar investigation was inaugurated in March, 1923, by direction of President Harding and has throughout been a subject of discussion within the commission. The inquiry was brought to the fore two days ago by demand of Senator La Follette, independent candidate for president for information in the hands of the commission. Senator La Follette also charged that representatives of the "sugar interests" had been working to delay completion of the commission's work.

It now remains for the president to determine what action shall be taken for under the law he alone can make changes in the duties within a maximum of 50 per cent up or down, and effective 30 days after their proclamation.

The commission more than a year ago in a statement made after an investigation which was separate from the present one and which received from charges that the tariff on sugar was responsible for the then high price at which sugar was quoted, made the more or less definite assertion that the price reflected partly the tariff duty which therefore, to some degree, was responsible for the sugar quotations.

After that inquiry the commission was ordered by President Harding to determine whether the prevailing import duties were proper.

It was not long after Mr. Harding's order to the commission that the internal quarrel in the commission developed openly. Here never has been unanimity of opinion among the six members on any report to the president, however, and the sugar question presented no precedent in that respect.

NEWS BRIEFS

Ruth Breaks Record

ST. LOUIS, July 31.—Babe Ruth today broke his record for home runs made in a single month by knocking out his 14th circuit clout for July in the sixth inning of the second game against St. Louis. It was his 33rd of the season.

Secretary Hughes Greeted

BRUSSELS, July 31.—(By The AP.)—Secretary of State and Mrs. Hughes of the United States were enthusiastically greeted by a large crowd, including many notables, when they arrived at the Gare du Midi this evening to begin a two days' visit to the Belgian capital.

Ford May Enter Race

DETROIT, Mich., July 31.—Henry Ford may enter the race for the republican nomination for United States senator from Michigan, according to a report received from Washington in a semi-official way by a high state official, says a special dispatch from Lansing to the Detroit Free Press.

Narcotic Ring Broken

OMAHA, Neb., July 31.—Federal agents asserted tonight that the largest narcotic ring operating in the middle west had been broken up with the arrest here of three men who are held in jail under \$25,000 bond each, culminating three years of work by agents in half a dozen cities, including operatives from Washington, D. C.

Three Killed in Fall

CRAWFORDVILLE, Ark., July 31.—Two men and a woman were killed late today when the airplane in which they were making an exhibition flight over this village fell 1500 feet to earth.

Snow Flurry Reported

WATERLOO, N. Y., July 31.—A slight flurry of snow was reported today at Sacket Harbor on Lake Ontario.

LA FOLLETTE CROWDS COOLIDGE OFF WISCONSIN G.O.P. BALLOT



With Senator La Follette in complete charge of the Wisconsin Republican organization, his managers are checking the means of putting the names of Coolidge and Daves on the Republican ballot in that state. The entire list of electors will be pledged to La Follette and Wheeler. If Coolidge wishes to run in Wisconsin it will probably have to be on an independent ticket. Republican managers treat the situation as of little importance, as the La Follette-Wheeler ticket will carry the state anyway.

DAVIS AGREES WITH C. BRYAN LONGVIEW HAS GALA PAGEANT

Democratic Nominee Joins in Condemning Purpose of Defense Day

NEW YORK, July 31.—Approval of the views expressed by his running mate, Governor Bryan of Nebraska, regarding the administration plan for national defense day September 12, was given today by John W. Davis, democratic presidential nominee, within an hour after he had returned from his vacation in Maine.

Denying that Mr. Bryan's stand against a "civilian mobilization" had caused him any embarrassment, Mr. Davis declared in a formal statement that at this time "every energy should be bent to getting the world back to peace and to work, calming the prejudices growing out of the world war and encouraging peaceful trade and commerce."

Mr. Davis' first day after his vacation was a very busy one. He first conferred with his campaign manager, Clem L. Shaver, after which announcement was made of the personnel of part of the campaign organization.

Informing himself then regarding the defense day matter, the candidate dictated his statement.

At Mr. Davis' headquarters it was asserted that his statement was not to be construed as that of a pacifist.

"I believe in military preparation," Mr. Davis said.

GOVERNOR BEHIND COOLIDGE

SALT LAKE CITY, July 31.—Governor Charles R. Mabey is "squarely behind President Coolidge in his call for observance of National Defense Day," he declared in a statement today.

FIRE DEPARTMENT SETS NEW RECORD

Thirty-Nine Calls are Answered During July; Fire Loss Is Small

What is believed to be a record for one month was established during July by the Salem fire department, which answered a total of 39 different calls during the month. With the exceptions of one or two buildings, the fire loss was exceptionally low, as a majority of the calls were to extinguish small blazes or grass fires. This list does not include the seven or eight small fires that occurred simultaneously during two other and larger fires in the eastern part of the city, which partially consumed a dwelling and a barn.

Several trees in an orchard at Maple and Hickory were badly scorched about 3 o'clock Thursday afternoon when a small fire got out of control and spread to the orchards. Approximately 30 feet of sidewalk was also destroyed. Several hives of bees in the orchard threatened to make the work of the firemen interesting for a short time.

Persian Press Relieved Over Imbrie Incident

TEHERAN, Persia, July 31.—(By The Associated Press.)—The press is generally relieved at what is regarded the moderation of the American demands made in connection with the killing of Vice Consul Imbrie.

The tone of the United States note is said to be greatly appreciated.

The reply of the Persian government to the American communication apparently meets with the approval of the majority here.

ALLES STILL QUIBBLE OVER DAVES REPORT

Important Phases of French Proposals Still Unsettled By the Reparations Conference

GRATIFYING PROGRESS MADE TOWARD SOLUTION

Delegates Look for Agreement to Be Reached at Allied Meet Today

LONDON, August 1.—(By The Associated Press.)—The experts of the inter-allied conference who had been in session throughout the night, adjourned at 2:00 o'clock this morning, without having reached an agreement on certain important phases of the French proposals for the settlement of the reparations questions and the putting into effect the Daves plan.

James A. Logan, the American official observer, said he was hopeful that a settlement would be reached today. The experts will reconvene at 11 o'clock this morning to continue their work.

Herriot Plan Blocked

The deadlock in the inter-allied conference was caused yesterday by the proposals M. Herriot, the French premier, submitted Wednesday to the allied plenipotentiaries and Frank B. Kellogg, the American ambassador.

The experts took the proposals in hand yesterday morning and remained with their task through the afternoon and night with such gratifying results that American officials who are close to the conference table believed that an invitation for German representatives to come to London will be despatched today. After discussing with the conference delegates the methods which have been agreed upon for the launching of the Daves plan, the Germans, if they give their acquiescence, will make final arrangements with the reparations commission for putting the new reparations project into effect. The commission decided to sit officially in London for that purpose.

Objections Overcome

The French plan was not entirely acceptable in the form in which it was laid on the table. But the objections to the first proposal were overcome sooner than had been anticipated, and after two hours' discussion the experts announced that the obstacle of power a German default might be declared under the Daves plan had been removed. This question had been blocking the progress of the conference for nearly a fortnight.

The experts then went to the grips with the third point in the French proposals, relating to an extension of the terms of the Versailles treaty with regard to payments in the kind and, with minor alterations, this proposal was accepted.

Failure is Predicted

There had been plentiful predictions that the proposals were doomed before they were submitted. But hope rose when agreement was reached on the means of the declaring of a default. This decision meant shifting the conference difficulties from the question of possible German delinquency to the proposals for modifying the Daves plan.

The experts approached this point of the French proposals with considerable misgivings, for, although two-thirds of the French plan for a settlement of the controversy had speedily gained the committee's approval, entire effectiveness of M. Herriot's suggestions depended upon their complete adoption in some form approaching their original draft.

Tampering Risky

To tamper in any way with the Daves plan was considered by the American experts as very risky business and the experts went to

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Bits of News From Today's Want Ads

Man and wife wants place in country. Woman will cook and man can do any kind of work. Large fountain pen lost. Reward.

Wanted — Farm to rent. Party prefers one with cherry orchard.

Lost — Gold belt buckle with clasp. Family keepsake. Liberal reward.