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The Oregon Statesman

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SEVENTY-FOURTH YEAR

SALEM, OREGON, TUESDAY MORNING, AUGUST 12, 1924

PRICE FIVE CENTS

STATE KNOCKS PHANTASY LIFE DEFENSE PLEA

Attorney Crowe Batters Away at Evidence Obtaining Dangerous Admissions From Defense Alienist

DOCTOR ADMITS THAT YOUTHS MAY HAVE LIED

Posing and Rehearsing of Leopold and Loeb By Defense Held Possible

CHICAGO, Aug. 11.—(By the Associated Press).—Theories of the phantasy life and functional disorder of endocrine glands built up by the defense through its fourth alienist, Dr. H. S. Hulbert of Chicago, in its plea for mitigation of punishment of Richard Loeb and Nathan K. Leopold, Jr., for kidnaping and slaying young Robert Franks, was attacked vigorously by the state today in the hearing before Judge John R. Caverly.

Crowe Batters Evidence Battering away at the mass of evidence developed by the defense in its contention that the youths were influenced by childish phantasies which continued to sway them as they developed into manhood, Loeb dreaming of committing the perfect crime and Leopold blindly following because of a "king-slave" dream that had persisted for years, Robert E. Crowe, state's attorney, forced from Dr. Hulbert the admission that it was possible the youths had been rehearsed by attorneys and doctors interested in building their defense.

Hammering no less relentlessly, the prosecutor gained the admission that the effect of the endocrine glands on forming and fixing mentality is as yet a seriously debated question in the medical profession.

Youths May Have Lied The young mental pathologist admitted that his conclusions that both Loeb and Leopold were "mentally sick" were based chiefly on statements made to him by Loeb and Leopold and that he knew the two had lied to him in some instances, mainly through withholding information they were asked to divulge.

He admitted there were gaps in his report, which, if filled in with the withheld information, might have influenced him to conclusions different from those he reached.

Attack on Girl Suggested Leopold favored kidnaping and attacking a young girl before killing her, rather than following Loeb's plan of selecting a male child as their victim also was brought out by Mr. Crowe on cross examination. Dr. Hulbert said that Leopold had told him his preference of a girl victim was influenced by a phantasy in which he had visioned German soldiers attacking French girls.

Dr. Hulbert joined the three alienists who had preceded him in the witness box in stating that Leopold, while intellectually perfect, was of an emotional age of below 12 years, but Mr. Crowe got from him the statement: "Leopold has more emotion than he says exists."

Mr. Crowe had asked the witness, if, when Leopold was not "posing" with his superior mentality on guard, he was not emotional. "It is possible," Dr. Hulbert replied when the prosecutor asked him if Leopold had not been "posing" throughout the various jail examinations while portraying himself as unemotional and the ready subject of phantasies.

Dr. Hulbert added, however, that Leopold's jail posing only magnified his defects, and that he

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THE WEATHER

OREGON—Fair Tuesday, except cloudy or foggy along the coast continued warm; light westerly winds.

LOCAL WEATHER (Monday) Maximum temperature, 92. Minimum temperature, 52. River, -2.4 stationary. Rainfall, none. Atmosphere, clear. Wind, south.

GENERAL WHITE IS NAMED BRIGADIER GENERAL OF LINE

Appointment Comes from President Through War Department—Oregon Man Takes Command of Troops of Two States—Brigade Headquarters to be Located in Oregon

George A. White, adjutant general of Oregon, last night received telegraphic advice from the war department of his appointment by the president as a brigadier general of the line of the army, with assignment to command the 82d infantry brigade, comprising the national guard troops of Oregon and Idaho. General White immediately wired his acceptance, it was learned at National Guard headquarters, took the oath of allegiance and today will formally assume command of the 82d brigade as its permanent commander. The appointment is effective until he reaches the age of 64 years.

CLOSES FOREST TO THE PUBLIC

District Forester Takes Drastic Measure to Prevent Further Fires

PORTLAND, Aug. 11.—The entire Willamette national forest in Oregon and the watersheds of five streams in Oregon and Washington, were closed to the public today by order of George H. Cecil, district forester. Danger to the forests today was about the same as it has been for a week. About 50 fires were started in the district Sunday night by lightning, and all were thought to have been put under control. Weather conditions were practically unchanged although reports from the Colville national forest in northwestern Washington indicated dangerous lack of humidity and high winds.

The area nearest to Portland affected by the closing order is the watershed of Barlow creek in the Mt. Hood national forest. The watershed of Ashland creek within the Crater lake national forest, was closed, as was a large acreage in the watershed of the Walla Walla river, in that portion of the Umatilla national forest which extends into Washington. Clearwater creek, middle and south forks of the Nooksoak creeks, in Colville national forest, were also closed. Seven national forests in Oregon and four in Washington now have regions closed to camping, smoking or the use of matches.

SEATTLE HAS LOW INFANT MORTALITY

Portland Stands Close Second in List of Cities in United States

SEATTLE, Aug. 11.—Seattle's infant death rate is lowest of all cities in the United States having a population of more than 250,000, only 49 out of every 1,000 babies born in Seattle in 1923 dying before they became a year old, Dr. Paul Turner, Seattle, director of the state department of health, told county health officers at the opening of a two day meeting here today. Portland, Ore., is next with a death rate of 53, he stated, while Pittsburgh is highest with 98.

"Spokane, with an infant death rate of but 48, is lowest among cities having a population over 100,000," said Dr. Turner. Among cities in the next division, Berkeley and Long Beach, Cal., with ratings of 41, are lowest, while Tacoma is next with a rating of 48. Among states, Washington, with an infant mortality rate of 50, is lowest and Oregon next with 61.

SANDE IS IMPROVED

SARATOGA SPRINGS, N. Y., Aug. 11.—Earle Sande, American jockey, who sustained a broken leg in a race here last Wednesday, is improving rapidly. He said today he was not suffering. Everett Haines, who will ride Epinaud in all his races in this country, arrived here today.

The war department telegram also stated that General White's date of rank was set back in the appointing order to July 23, 1923, the date when his name was first presented for line command by Major General Charles G. Morton, commanding the ninth corps area with headquarters at San Francisco. This action makes him the senior national guard officer in the northwest and of the 41st division, of which the 82d brigade is part. It is the same division with which General White went overseas in 1917.

Permanent appointment of General White assures the location of brigade headquarters in Oregon, it was said at guard headquarters, and also insures that the Oregon regiments will go out in a single brigade formation in command of an Oregon man in event of war. In the last war the Oregonians were commanded by a Pennsylvanian and finally scattered as replacement throughout the army.

General White has been adjutant general of Oregon since 1915 and is a veteran of the Spanish war, Mexican border service and World war. He attracted nationwide attention in 1917 when he organized the manpower of Oregon for the World war and put his state first in mobilization, war census and operation of the draft. When this work was completed he applied for active service overseas and spent 18 months with the army in France, participating in the Aisne-Marne and Argonne battles. He was decorated by the president of France with the order of the Legion of Honor. After the armistice he was also prominent as joint founder with Theodore Roosevelt of the American legion, of which he became the first national adjutant in France. He is 44 years of age, and probably the youngest brigade commander in the service.

The duties of General White as brigade commander will not conflict with his duty or status as adjutant general of the state, it was said. He will have a staff of seven officers to appoint at brigade headquarters.

NEWS BRIEFS

Renault Beats Madden NEW YORK, Aug. 11.—Jack Renault, Canadian heavyweight, gave Bartley Madden a scientific boxing lesson in a 15-round match at the Queensboro A. C. in Long Island City tonight, decisively defeating his opponent all through the route and cutting him up badly about the face.

Leonard Defeats Moran CLEVELAND, Aug. 11.—Benny Leonard, world's lightweight titleholder, defending his laurels for the first time in 11 months, easily defeated Pal Moran, New Orleans challenger, in a 10-round, no-decision contest tonight. A tabulation by the ringside experts gave Leonard nine of the 10 rounds, while the sixth went to Moran.

Spark Starts Fire HOQUIAM, Wash., Aug. 11.—Sparks from a dry kiln plant of the National DLumber & Planing mills started a fire tonight which destroyed the mill and 8,000,000 feet of lumber, causing an estimated damage of \$1,000,000 and throwing 500 men out of work.

Jewels Stolen During Sleep WESTMINSTER, B. C., Aug. 11.—H. J. Kammell, San Francisco, who with his family is living in a tent at Gyro camp, Queen's park, reported to the police that while he was sleeping last night a thief stole his trousers in which there was \$800 cash and \$325 worth of jewels.

PLAN FOR RUHR EVACUATION IS BEING FORMED

Inter-Allied Conference Finally Shakes Itself Down to Military Withdrawal From Germany

HERRIOT REPORTED TO BE READY TO AGREE

French Authorize Move in 11 Months—Details Now in Conferences

LONDON, Aug. 11.—(By the Associated Press).—The reparations conference has finally shaken itself down to the basic question of the Ruhr evacuation and the leaders are attempting in private interviews to effect a settlement of this acute political problem which really is not on the agenda of the conference. M. Herriot, the French premier, had a long interview today with Dr. Stresemann, the German foreign minister. Chancellor Marx and Dr. Stresemann called on M. Theunis, the Belgian premier, and the leading German delegates also conferred with Ramsay MacDonald, the British prime minister.

Herriot Has Authority Although M. Herriot is supposed to have returned from Paris with authority to agree to the Ruhr evacuation within 11 months the question of when evacuation will begin and the details of its execution including the desire of the French and Belgians to keep their nationals on the railways, Belgians, English and Germans before the conference can proceed in a definite way with the program for instituting the Dawes plan.

Reports from all three committees of the conference have been agreed to in principle but the jurists are busy studying and editing the protocols, which are not in final form.

Optimism Rules Meet The opinion now seems general in conference circuits that the outcome will be settled definitely by Thursday or Friday, and the majority opinion is decidedly optimistic respecting the results.

The "big fourteenth" met today to receive the report of the third committee which outlined how Germany will make payments in kind. There was much argument about the quantity of coal and coke Germany shall deliver, but an agreement was reached, finally, with the understanding that the matter shall be subject to arbitration.

Voting Is Progressing At a Merry Clip in the Statesman's Big Contest

The special offer of a box of delicious candies to each of the winning candidates comes as a pleasant surprise.

The announcement that each of the ten leading ladies would, in addition to all the other honors and pleasures, be awarded a box of delicious Gray Belle candy to enjoy while on the trip to the seashore has aroused much interest on the part of the contestants.

Stamped With Seal of Success The increasing number of votes cast for the candidates stamps the greatest seashore vacation contest ever conducted in Oregon, outside of Portland, with the seal of unqualified success. From all parts of the territory candidates have entered the race and are receiving loyal support from their friends. This makes the contest a uniformly fair one, and no candidate has received enough votes to give a lead that cannot be overcome.

Another feature about The Statesman contest that makes it extremely popular and which is causing interest to spread, is that all the ten grand prizes are of equal value. The ten leading ladies at the close of the contest will be awarded ten splendid seashore trip prizes that are all equal in value and when it is understood that The Statesman will pay all the expenses of these they are doubly desirable. The large number in the contest

SUPPLIES FOR WORLD FLIGHT HELD IN FLOES

Cruiser Raleigh Ordered to Find Gertrude Rask and Assist Vessel to Land at Angmagsalik

FOG BANKS HINDER ANY SEARCH FOR LANDING

Ice Damages Ship's Propeller—Planes May Find a New Base Today

REYKJAVIK, Aug. 11.—(By The Associated Press).—Rear Admiral Magruder today flashed a message from his flagship, the Richmond, ordering the cruiser Raleigh off the coast of Greenland to endeavor to find the Danish steamer Gertrude Rask and give her all possible assistance in making her way through the ice fields toward Angmagsalik, the ice field toward Angmagsalik, the Richmond, ordering the cruiser Raleigh off the coast of Greenland to endeavor to find the Danish steamer Gertrude Rask and give her all possible assistance in making her way through the ice fields toward Angmagsalik.

The order was sent when news reached here that the Gertrude Rask, which had been drifting about for more than a week from amid floes and unable to reach her destination at last had broken out of the pack but was far south of Angmagsalik.

The Iceland trawler Karl Solmundarson also is on her way to pick up the Gertrude Rask, for which she has 300 tons of coal. It is thought the three vessels will meet tomorrow.

The Raleigh Sunday made her way through small broken fields of ice floes, but, though the sea was smooth, intermittent banks of fog along the east coast of Greenland prevented the two reconnaissance planes on board the cruiser from making a survey of the coast line in an endeavor to pick out a safe harbor for the planes of Lieutenant Lowell H. Smith and Erik Nelson to hop off from Reykjavik.

In coming her way through the ice, one of the propellers of the Raleigh was slightly damaged. Later this afternoon the Raleigh, which was about 60 miles off the Greenland coast, stood out beyond the ice floes to insure her safety during the night. If the fog holds off tomorrow it is probable that the two planes will be able to take off and determine the possibility of finding a base for the round-the-world aviators.

ROME HAS RIOTS

ROME, Aug. 11.—(AP)—Daring anti-governmental demonstrations were held here Saturday night and again last night by communists.

VICK BROS. BRING BIG DAMAGE SUIT AGAINST FORD CO.

Local Automobile Dealers Demand \$292,250 for Alleged Breach of Contract Involving Tractor Agency—Loss of Lucrative Retail Business in Three Cities Claimed

A suit for \$292,250 damages against Henry Ford & Son and the Ford Motor company was filed yesterday in the circuit court by the Vick Brothers Motor company. Alleged breach of a contract which granted the Oregon sales agency of the Fordson tractors to the plaintiff is the cause for action.

Abrogation of the contract for the state sales agency made with Vick Brothers by Henry Ford & Son when the latter firm was merged with the Ford Motor company of Detroit in 1919 deprived the local firm of its sales rights, it is averred, and caused other general damages amounting to the sums named in the suit. Vick Brothers were in local retail automobile businesses in Salem, Eugene and Medford prior to entering into the agreement to handle the Fordson agency. The loss of these businesses together with various sums spent to promote the sale of the tractors is named as the basis for the claim of damages.

The contract was entered into between Henry Ford & Son, manufacturers of the Fordson tractor, and Vick Brothers in 1918 and granted to the local firm the territorial sales rights in Oregon for the tractor, the complaint says. The contract was to run for a minimum of 10 years. During that period it was agreed that the sales agency of the Henry Ford & Son products should remain separate from the sales agency of the Ford Motor company. In both of these respects the contract was violated, according to Vick Brothers, by the merging of the two corporations and agencies and the abrogation of the contract after only one year's operation.

In carrying out the stipulations of the contract Vick Brothers claim they disposed of their businesses in Salem, Eugene and Medford and established headquarters in Portland. A building for agency purposes was built in Portland at the cost of \$75,000, and an agency service was established throughout the state at a cost of \$30,000. When the contract was abrogated these expenditures are said to have been practically lost, and in addition the income from their former businesses amounting to \$100,000 over the period of the term of the contract was cut off. An amount of farm machinery suitable for sale with the tractor was also left on their hands.

Demands for reimbursement for these losses and the loss of the agency have been repeatedly refused by the Ford Motor company, the complaint asserts, and the suit for \$292,250 has been found necessary by the local firm to secure payment.

Since the termination of their contract the Vick Brothers have engaged in another Salem retail automobile enterprise.

MANY DECISIONS ARE RECORDED

Epworth League Institute Closes at Falls City After Stirring Week

The Falls City Epworth league institute closed Sunday night with a service in which a gospel team of six young people of the institute had charge, and which resulted in 10 decisions for life service, bringing the total of full time life service decisions in home and foreign fields to 37, part-time service decisions to 50 and first decisions for Christ to 43, thus proving the largest number of conversions that has been recorded for many years in the institute.

The total registration for the week was 377, with over 500 on the grounds, this being nearly double the registration of last year. With the improvements that are contemplated for next year, it is fully expected that next year's registration will be well over 500.

An outlay of \$3000 or over is (Continued on page 7)

DAVIS ASSAILS G. O. P. RECORD IN ACCEPTING

Democratic Nominee Declares Republican Party Has Shaken Public Confidence to Foundation

SPEECH MADE DURING A TORRENT OF RAIN

Crowd Stands Thru Downpour to Hear Program of Former Neighbor

Specific Charges Against the Republican Party

"Having exhibited deeper and more widespread corruption than any that this generation of Americans has been called upon to witness, Complacency in the face of that corruption and with ill will towards the efforts of honest men to expose it, Gross favoritism to the privileged and utter disregard of the unprivileged, Indifference to world peace and timidity in the conduct of foreign affairs, Disorganization, division and incoherence."

GOFF PLAZA, CLARKSBURG, W. Va., Aug. 11.—(By The Associated Press).—John W. Davis opening his campaign for the presidency of the United States tonight in a veritable torrent of rain, a rain that soaked the thousands of persons who had journeyed from many cities to witness the formal ceremonies for fixing of his selection as the standard-bearer of the democratic party.

Undaunted by the weather, Mr. Davis stood under an umbrella held by a friend and launched a bitter attack upon the republican public confidence to "its very foundation." And, the great throng gathered to listen to his speech, only a few of whom were shelter from the storm with newspapers or other non-waterproof materials, stayed on despite the rain. They listened to Mr. Davis denounce the republicans for having "exhibited a deeper and more widespread corruption than any that this generation of American has been called upon to witness."

The supreme need of the time, said the nominee, is to bring back to the people confidence in the government.

Having thus sounded the rallying cry of democracy's hosts in the battle ahead, Mr. Davis, with vigor and force, presented the program to which he pledged himself if given the mandate of the American people.

He promised as the chief features of this program an honest impartial and just government; tax and tariff revision; farm aid; cooperation "officially" with all legitimate endeavors to lessen the prospect for war; economy in government, conservation of all of the nation's natural resources and strict enforcement of the prohibition as well as all other laws.

Salem Wants the Tourists Salem wants the tourists and is going to provide a better place for them next year.

The brutal attack on our visitors by the Capital Journal Monday evening does not reflect the sentiment of the sober-minded citizenship of this city. It is so entirely uncalculated for that the criticism of it is as general as its circulation.

The tourists were indignant when they read the editorial and not without cause, but if they lived here they would know that it was the policy of our evening contemporary to attack the constructive moves of our best citizens, to play up the wrong side and in general give its efforts to destructive work.

Salem does not pay any attention to such flare-ups and the tourists would not either if they remained here long enough to take its measure. Salem has entertained some of the best people in the United States at her auto park and wants to entertain more. They will always be welcome and we hope to make their stay profitable as well as pleasant while they are here. We believe that if the tourists stay several days in Salem they will like our country so well they will want to stay with us all ways.

NEW PARTY TO BE ORGANIZED

Washington La Follette Club Calls Convention to Plan 3rd Ticket

SEATTLE, Aug. 11.—Supporters of the "La Follette-Wheeler club" after stormy all day conference here today, issued a call for a state convention to be held Thursday night to "form a new party to be known as the Progressive party, adopt a party slogan and nominate seven presidential electors."

After adjournment W. A. Gilmore, president of the King county La Follette-Wheeler club, who declined to sign a call for the progressive party convention, announced another call would be issued soon to form another new party and that a state convention would be held September 9 to nominate a complete party ticket.

There will be no clash between the progressive party, which will have only candidates for presidential electors, and the new party which will have only candidates for state and congressional offices," said Gilmore. "Two candidates for state officers on the farmer-labor ticket signed to call for the progressive party conference."

WATERMELON IS LEGION FEAST

Five Hundred Pounds of it Consumed at Meeting of Vets Last Night

One of the best attended mid-summer meetings of Capital post No. 9, American legion, was staged at McCormack hall last night, with more than 125 ex-service men present. Five hundred pounds of iced watermelons were consumed by members and guests. It was announced that the membership to date has reached 430.

George Griffith, state commander, outlined the work of the legion in the past, its accomplishments and hopes for the future. He was followed by Major Charles Gjedstedt, whose vocal efforts brought in seven or eight new members. Clifton Irwin reported that one-half of a proposed 30-piece military band for Salem had been lined up and asked for the cooperation of the post in completing the quota.

Beginning Wednesday night, and continuing every Monday and Wednesday night this month, the post drum and bugle corps will hold regular rehearsals at the Clifford Brown warehouse in order to get in shape for the statewide drum corps contest to be staged Tuesday, or American legion day, at the state fair, it was announced by Dr. Carl Wonne, who has charge. During September, until the fair, the corps will meet three times a week.

Following discussion of charges against hospital No. 77, in Portland, Commander Gabrielson announced he would appoint a committee to draft resolutions endorsing the action of the Portland post in demanding a thorough investigation of disabled war veterans now in the hospital.