

The Oregon Statesman

TODAY TEN PAGES

SEVENTY-FOURTH YEAR

SALEM, OREGON, THURSDAY MORNING, AUGUST 21, 1924

PRICE FIVE CENTS

McCOY PROVED THIEF OF MRS. MORS' JEWELS

Sister of Ex-Pugilist Turns Over \$5000 Worth of Gems Taken By Brother the Night of the Murder

STORY OF FORMER WIFE IS SCOUTED BY POLICE

Tale of Heavy Set Man Thought Faked as a Help for the Defense

LOS ANGELES, Aug. 20.—Two hard blows landed today on the defense of Kid McCoy, ex-pugilist indicted yesterday for the murder here August 12 of Mrs. Theresa Mors, the woman with whom he was living.

McCoy's sister Mrs. Jenny Thomas, delivered one of them. The police were responsible for the other.

Mrs. Thomas turned over to investigators \$5,000 worth of jewels which she said McCoy gave her after the death of Mrs. Mors, and which Albert A. Mors, divorced husband of the dead woman, declares were stolen from her body.

Police investigators announced that they had torn to shreds the story of Dagmar Dahlgren, dancer, and eight (divorced) wife of the ex-fighter who earlier in the day volunteered a statement that tended to absolve her former husband of Mrs. Mors' death.

The dancer said she had been spying on McCoy and Mrs. Mors, saw McCoy leave the Mors apartment the night the woman died with a bullet in her head, saw Mrs. Mors turn off her light, then saw a heavy set man enter, heard an argument, then a shot and finally the hasty departure of the heavy set man.

Officers working on the case, after investigating, asserted that they could find no corroboration of the Dahlgren story and that it apparently was an effort on her part to help her ex-husband with no basis in fact.

Eight Charges Made The day also marked the arraignment of McCoy on the charge of murder, three charges of assault with intent to commit murder and four charges of robbery.

His attorneys obtained a postponement of the plea until next Monday, but before they could be heard, McCoy, in reply to the reading of the murder charge, shouted:

"I did not." The seven lesser charges against the former prize ring attraction were the outgrowth of a shooting affray staged by him the morning following Mrs. Mors' death, when he invaded the Westlake shopping district held up a number of persons and wounded three.

McCoy fashion plate Lathario of eight matrimonial adventures and prince of the squared circle, was a subdued copy of his former self as he appeared for arraignment today.

Head down, hands clasped in front of him, he faced Superior Judge Charles S. Crail as the indictment was read. The only flash of his fighting spirit came with the reading of the murder charge when he shouted his denial.

No More Antics Yesterday and until then since his arrest he has had a cell to himself in the city jail. Last night, following the indictment and until his trial his quarters are in the county jail "tank" which he shares with a score and a half of other prisoners.

Since his removal to the "tank" there has been no recurrence of the antics that brought alienists hurrying to his cell yesterday and resulted in their statement that

(Continued on page 5)

ENGLISH MAKE BEST HUSBANDS AVERS WRITER

Woman Novelist Thinks That American Men Spoil Wives; British are Pals

NEW YORK, Aug. 20.—Englishmen make better husbands than Americans, because they "treat their wives as companions and not as American husbands treat theirs, as dolls, spoiling them with presents, furs and jewels," says Mary Borden, the novelist, who has returned to the United States for a visit after an absence of 11 years. She is the wife of General E. L. Spears, who has been a member of parliament for three years.

"English husbands don't nag," continued Mrs. Spears. "A wife to an Englishman is a pal and over here, the English women do everything the men do and so they do not have so much time for bridge and clothes. Consequently they are not as good dressers as American women."

MARS SNAPPED BY SCIENTISTS

Lick Observatory Takes Pictures at Nearest Point—Signals Attempted

SAN JOSE, Cal., Aug. 20.—The first photographs of Mars at its closest point to the earth were taken at Lick observatory on Mt. Hamilton, 36 miles east of here, last night, according to announcement today by Dr. Robert G. Aitken, associate director of the observatory. What additional information the photographic plates will give the world of the planet and its possible vegetable and animal life will not be determined for some time, for, according to Dr. Aitken they will require considerable study, comparison with other photographs yet to be made, and comparison with photographs taken when the perihelion opposition of Mars occurred previously.

August 23, when the planet is at its nearest point to the earth, is not necessarily the most favorable time for observations, according to Dr. Aitken, who pointed out that Mars and the earth are traveling along nearly parallel paths and that the distance between them will not vary much for a number of weeks, during which operations will be continued at

(Continued on page 3)

San Francisco 1906 Fire Losses are to Be Paid

SAN FRANCISCO, Aug. 20.—Some 900 property owners in San Francisco who suffered losses in the 1906 fire for which German and Austrian insurance companies refused to recognize claims, will be reimbursed to the full amount of their policies with an additional 5 per cent it was said here tonight. The claims amount to more than \$5,000,000.

Payment of the policies was made possible by the seizure of assets of the foreign companies valued at \$25,000,000 which the government took over when it entered the war and since has refused to restore on the ground that insurance claims had not been paid.

HOWARD ZINZER GOES TO SPOKANE

Salem Man Accepts Post as Assistant Boy Scout Executive

Howard Zinzer, who for two and one-half years has been engaged in Boy Scout work in Salem and scout executive, has resigned his position and accepted a position in Spokane as assistant executive. Mr. Zinzer will leave for his new field of work in a few days. He received final instructions yesterday from J. B. Varner, the Spokane executive, to report as soon as possible. Mr. Zinzer has been one of the most energetic scout officials, who have ever worked in the local field. Salem is his home town, which, he says, has helped to make the work here particularly pleasant, but in Spokane he will have a bigger field and larger opportunity. Spokane has nearly 100 troops of scouts.

LACK OF FUEL MAY SET BACK WORLD FLIGHT

Further Delay May Necessitate Refueling of Patrol Vessels Operating Along the Greenland Coast

REPAIRS ARE HASTENED ON BOTH ARMY PLANES

Lieutenant Smith and Companions are Chafing Under Repeated Delays

ON BOARD U. S. S. CRUISER RICHMOND, Reykjavik, Iceland, Aug. 20.—(By the Associated Press.)—The fortnight's delay in the American army aviators' world flight, due to uncertainty regarding ice conditions in Greenland and several mishaps, has brought about a fuel shortage in the naval patrol, which is further complicating the flight situation.

Rear Admiral Thomas P. Magruder admitted this when his flagship, the Richmond, put into Reykjavik today with spare parts for the planes of Lieuts. Smith and Nelson. A further delay in the flight, owing to weather or other causes, would necessitate refueling the patrol vessels.

Flight commander Leighton, who returned to Reykjavik on the Richmond, after having made an air reconnaissance along the Greenland coast in one of the planes of the cruiser Raleigh, reported to Admiral Magruder that the entire coast in the vicinity of Angmagssalik is unsuitable for landing purposes, owing to the ice. He said that in the event of forced landings the planes could find no shelter.

According to flight commander Leighton, another aviator who flew over the region reached the same conclusion as he did. The harbor 20 miles north of Angmagssalik, reported last week by Lieutenant Shultz, was found to be impracticable, as motor boats would have been unable to enter it and deliver gas and oil to the planes had they gone there.

When the Richmond came to anchor here a gale was raging and Lieutenant Smith, Lieutenant Nelson and Lieutenant Crumrine of the air service had difficulty in boarding her for a conference with Admiral Magruder.

The admiral presented to the aviators the difficulties of the situation from the naval viewpoint, laying stress on the fuel scarcity. Lieutenant Smith earnestly pointed out that it was possible for himself and Lieutenant Nelson to make the remainder of the flight without delay, barring accidents, and with a little rest between the hops to Labrador. Lieutenant Locatelli, the Italian aviator, came aboard the Richmond during the

(Continued on page 4)

Spreading Enthusiasm In Statesman's Contest Showing Hourly Votes

The home, the office and the club now making The Statesman's great contest a chief topic of conversation—the way to reach the goal outlined—success awaiting effort to put you to the "goal."

In a contest of this kind there is positively no way of telling who will be the winner until the last vote has been counted.



Deep Sea Fishing Boat at Newport

those who make an early resolution to be winners. At your morning's meal when you reach for the two accustomed lumps of sugar for your coffee, each loaf should be delivered to the cup with the resolutions of determination and effort—resolving that this day I will "do things," and try to be foremost in the contest. Young lady, help yourself. Others needing your determination to win out, will help you and ask their friends to join them in an

(Continued on page 4)

209 FILIPINOS ARE TRIED FOR MUTINY CHARGE

Scouts Blame Non-Commissioned Officers for Conflicting Orders

MANILA, Aug. 20.—(By Associated Press.)—A court martial trying 209 Filipino scouts on charges of mutiny growing out of their refusal to obey orders, today concluded the taking of evidence and took the case under advisement.

During the trial some of the defendants testified that they didn't obey orders because non-commissioned officers gave conflicting and irregular commands. The accused scouts, when called as witnesses showed an apparent lack of knowledge of English.

GAME CASE IS GIVEN HEARING

Judge Bingham Takes Matter Under Advisement Until Friday

No decision on the petition of W. C. Winslow, representing Oregon sportsmen, to enjoin state officers from enforcing the proclamation of Governor Pierce closing the deer hunting season until September 20 is to be expected until Friday, according to Judge George G. Bingham who took the matter under advisement following a hearing yesterday. The attack of the plaintiff centered around the alleged unconstitutionality of the law in spite of the fact that the court indicated that it would not pass upon that phase of the question.

Winslow declared that the law under which the governor's proclamation was issued was unconstitutional since it delegated legislative authority to an executive. He further contended that the governor overstepped his delegated authority in closing the deer season.

Judge Bingham indicated a reluctance to deal with the constitutionality of the law. "The critical point is whether the order was premature," he said. "The court will not pass upon constitutionality unless forced to do so."

Five points formed the basis of the plaintiff's case; that the law delegated authority to the governor was abrogated by the game code of 1921, that the proclamation abrogated the right of contract to those who had purchased hunting licenses, that the governor had assumed legislative power, that its effect would be to take property without due process of law and that it was a discrimination between those who hunt deer and those who hunt other animals.

The counsel for the governor replied that the proclamation was an exercise of the police power of the state.

(Continued on page 4)

TRAINMEN NOT TO FIX CHOICE OF CANDIDATES

Circulars Sent Out Repudiates Idea of Endorsing Any of Three Leading Presidential Nominees

REAFFIRMS POLICY OF HANDS OFF POLITICS

Organization to Take Stand Only Against Enemies—Records Good

CLEVELAND, Aug. 20.—(By The Associated Press.)—In a circular mailed today to the 180,000 members of the Brotherhood of Railroad Trainmen, advice is given regarding political action, which will be repeated in the September issue of the brotherhood's official organ, in which President W. G. Lee says he "has taken the position that our organization should not endorse either Coolidge, Davis or La Follette for president of the United States."

Stood Against Politics Under the slogan of "Endorsement of Candidates," the circular reads:

"The Brotherhood of Railroad Trainmen through its conventions has declared that it would not ally itself with any political party but believed in following the policy of rewarding labor's friends and defeating labor's enemies. "The Toronto 1922 convention reaffirmed its belief in this policy. A resolution covering the question of political action was presented to the convention.

Labor Records Good "Adoption of this recommendation recommitted the organization to independent political action. In keeping with this resolution the

(Continued on page 6)

BLUE MOULD IS HALT TO LABOR

Orders for Prune Pickers are Suddenly Cancelled at Local Bureau

Because of the appearance of blue mould all orders for prune pickers that were in the United States Employment bureau at the YMCA were cancelled yesterday and as a result of the sudden stopping of the labor demand, surplus labor piled up in short order. An advertisement in a Portland paper Tuesday brought nearly 50 box makers to Salem in the morning. These found themselves jobless.

Conditions appear to be similar through the district. An ex-service man applied for work Tuesday and was told to report early Wednesday. He obtained a "stripper" for his use from a local merchant and found the tool useless. The merchant refused to take it back, even when a reduction was suggested. The same young man, with a partner, called up McMinnville and were promised work. By the time they had arrived an hour or so later, they found all work called off.

Denney & Co., the principal operators in the green fruit deal, suddenly called a halt to all buying and packing without any explanation upon receiving instructions from headquarters. Mr. Hogue, who is handling the deal, was out of town Wednesday and could not be reached. Blue mould appearing in the fruit was assigned the reason for orders to cease buying and shipping.

Just what extent the blue mould has appeared is not known, for several other fruit buyers said they had not noticed it and would continue to pack prunes as usual. John Young of Young & Wells of Spokane, the Ryan Fruit company and the Pacific Fruit & Produce company are still operating, though all expressed the opinion that the season would be short, as the fruit is ripening fast. Four cars were shipped from Young & Wells yesterday and two from the Ryan Fruit company warehouse. It is estimated that the Denney company operations will be cut from 500 to 150 carloads.

Several reports have reached Salem that prunes have cracked as a result of the recent rain. The reports come from points many miles apart.

MILES CONVINCED SPINNING MILL IS FEASIBLE IN SALEM

B. C. Miles writes to his son, Ross Miles, that he has become convinced of the feasibility of building a factory at Salem, for spinning flax fiber and making twines and cloth.

He has come to this conclusion after visiting England, Scotland and Ireland, and having Oregon flax fiber tried out in a number of the mills there.

Mr. Miles is accompanied by Mrs. Miles and their daughter, Eva, and by Mr. and Mrs. Robert Dann, his son-in-law and daughter.

It is the purpose of Mr. and Mrs. Miles and Miss Eva Miles to take the first available boat home, leaving Mr. and Mrs. Dann in Belfast, where Mr. Dann will

BENTON BOARD IS BOUNCED

Service Men's State Aid Commission Names New Appraisers

The ex-service men's state aid commission after its regular session yesterday announced that Robert Johnson, H. C. Herron and J. F. Porter had been appointed as a new board of appraisers under the bonus and loan act for Benton county to succeed W. H. Savage, C. L. Heckart and J. F. Yates. While the board intimated that the old board had been removed it refused to divulge the reasons.

The commission is composed of Governor Pierce, Secretary of State Olcott, Adjutant General White, Ed Bulley of Lane county and W. C. Culbertson of Multnomah county. The commission administers the state bonus and loan act. The duty of the boards of appraisers is to pass on the valuation of lands offered by ex-service men as security for loans from the state.

Dundee Relinquishes His Title—Is Over Weight

NEW YORK, Aug. 20.—After holding the world's featherweight title for 13 months, Johnny Dundee, veteran Italian battler, today notified the state athletic commission he has decided to relinquish it, as he cannot make the 126 pound limit.

After granting his request that it take temporary charge of the crown, the commission announced it would authorize a tournament to determine a new featherweight king.

NEWS BRIEFS

"Dead" Man Returns. MENASHA, Wis., Aug. 20.—Reported dead in the World war and listed as buried on the battlefield of Chateau Thierry, Urber Bergeron, shell shocked and battle scarred veteran of the World war who returned to his home three times and was not recognized today is back at the home fireside while his family rejoices at his return.

Sets 100 Fires. NEW YORK, Aug. 20.—A self-styled "Dr. Jekyll and Mr. Hyde"—an unassuming youth of 26—blatantly confessed to the police today that he had caused over 100 incendiary fires on Manhattan Island in the last few months—"just to see the fire engines in action."

Montana Has Snow. BOZEMAN, Mont., Aug. 20.—A very light snow fell in a few sections of the Gallatin valley tonight. The temperature is 50 degrees above zero.

Bank Is Robbed. KANSAS CITY, Mo., Aug. 20.—Three unmasked bandits today held up the Corn Exchange bank here and escaped with approximately \$15,000.

Nut Sale Causes Fine. SEATTLE, Aug. 20.—F. N. Miller, groceryman charged in justice court here today with selling to an inspector a package of walnuts that was short in weight, answered that an error occurred because a tall clerk had an oblique view of a scale beam. Miller was fined \$50.

LEOPOLD, LOEB DENOUNCED AS CRUEL FIENDS

Youths Face Scathing Remarks of State's Attorneys Without Perceptible Show of Emotion

NOTHING IN MITIGATION SHOWN SAYS MARSHALL

Ability to Distinguish Between Right and Wrong Is Only Defense

CHICAGO, Aug. 20.—(By the AP.)—Nathan F. Leopold, Jr., and Richard Loeb today, without a perceptible quiver, heard themselves denounced as "fiends" and "dastardly cowards" by assistant state's attorneys who were summing up before Judge John E. Caverly the law and circumstances of their kidnaping and murder of Robert Franks.

They were outwardly unmoved, even when the prosecutors urged death upon the gallows as the only fit punishment for their acts. Once after Joseph Savage, who devoted himself to the facts in the case, pointed directly at Loeb and called him "the fiend," the younger of the youthful defendants turned to Leopold and arched his eyebrows quizzically.

Mitigation Not Justified Mr. Marshall consumed all except 45 minutes of the court session. Having discussed yesterday the legal aspect of mental responsibility he turned today to mitigation and turpitude.

Mitigation, he argued, was applicable to the offense rather than the punishment. He declared the defense had offered nothing in mitigation of the facts and that they had attempted to draw the court from the letter of the law into a consideration of mental conditions not recognized by either statutes or decisions as effective in modifying the penalties of a crime.

Ability to distinguish between right and wrong as the only legal barrier against punishment for criminal acts was the theme of Mr. Marshall on this point.

Turpitude Always Present

Turpitude was presented to the court as a characteristic of all crimes, modified by circumstances. It could not rightfully be linked with mental responsibility, according to Mr. Marshall's reasoning, and he challenged the defense to show otherwise.

He challenged Mr. Darrow and his assistants to reveal to the court any crimes in the history of Illinois of "such a degree of villainy as this," and in his peroration declared it the most dastardly to be found in the law books.

Both Mr. Marshall and Mr. Savage dwelt upon the care with which the crime was planned, the former using it as a basis for argument on the effect of premeditation and the latter as circumstance which showed "cruelty and viciousness."

Death Penalty Asked

"In the light of all these circumstances, death alone can expiate this awful crime; to impose a lesser penalty would make a mockery of the law," declared Mr. Marshall. "I know your honor will be just as merciful to these two fiends as they were to many little Bobby Franks," was Mr. Savage's version of the same idea.

Mr. Savage became dramatic as he told of the manner with which the defendants had planned and executed the kidnaping and murder.

"Bobby was struck four times on the head," he declaimed, and that many smacks of his fist in palm cracked startlingly in the court room.

"My God, judge," he shouted, "you would not strike a dog four times on the head without giving him some chance.

"Bobby was given no chance at all. He was weak, weighed only 80 pounds, and was 14 years old. But like every man and every other boy he would have fought it

(Continued on page 6)

If You Are in Doubt

ASK anyone who has used them what sort of results the Statesman classified advertisements bring. Then use one yourself. Telephone 23 or 533 and your ad will receive prompt attention.

THE WEATHER

OREGON—Cloudy west portion; fair east portion Thursday; slight change in temperature; light westerly winds.

LOCAL WEATHER (Wednesday)

Maximum temperature, 74. Minimum temperature, 51. River, 2.3, rising. Rainfall, none. Atmosphere, part cloudy. Wind, north.