

MURDER JURY DEADLOCKED

OREGON TRAMPLED ON BY CALIFORNIA

Southern Eleven Wins Easily From U. of O. by Score of 28 to 0

AGGIES ALSO DEFEATED

Stanford Cardinals Win by Score of 26 to 10 After Corvallis Boys Threaten in Early Stages of Game

PORTLAND, Oct. 24.—(By Associated Press.)—University of California's football team overwhelmed the University of Oregon eleven on Multnomah field here today 28 to 0. California, with an offense which could not be stopped, and an almost impregnable defense against Oregon's attacks, scored its triumph in handy fashion, pushing over one touchdown in the first period, one in the second and two in the fourth.

A crowd of approximately 20,000 persons saw the Bears' powerful machine trample the Eugene team under foot. Oregon at no time menaced the California goal line, although once in the final period the Oregonians worked the ball to California's nine-yard line. Here Oregon lost whatever opportunity there might have been to score when Harrison tumbled the ball and California recovered. Immediately afterward Anderson of Oregon fumbled Blewett's punt and the Bears romped down the field for their final touchdown.

California completely bewildered the Oregonians by criss-crossing and fake criss-cross plays, although big gains also were made by forward passing and line plunging. Andy Smith used many substitutes.

California swept into its first touchdown within 10 minutes of the kickoff and after only 12 plays. Oregon kicked off to Young on the 10-yard line, and the big fullback tore for a 39-yard gain to midfield.

Young took the ball and faked to the right. Inlay cut behind him and took the ball for a sprint around left end to the one-foot line. With the goal line to go, Young smashed center for the touchdown. Carlson drop-kicked the goal.

Only a few minutes after the second quarter opened, another criss-cross from Jabs, who had replaced Young at fullback, to Inlay, netted 34 yards, the longest scrimmage gain of the game, to the Oregon 34-yard line. On the next play Jabs catapulted center for 12 yards and first down to the Oregon 21-yard line.

Dixon made a long low hurl across the goal line, a perfect throw to an end set to receive it, but Anderson of Oregon just flicked the flying sphere with his fingers enough to spill the play.

Wetzel kicked over the California goal line for a touchback, but Dixon brought it back to the Oregon 47-yard line. Wetzel punted again, but the ball skidded off his foot for only a nine-yard gain. This was the break of the second touchdown. Dixon punted back 62 to the Oregon six, but Wetzel

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TWO KILLED IN CRASH

AUTO SMASHUP RESULTS IN DEATH OF MAN AND WIFE

RENTON, Wash., Oct. 24.—Richard Owens and his wife, Nellie, were instantly killed at 5:30 this afternoon when the automobile in which they were riding was struck by a heavily loaded logging truck on the Sunset highway two miles north of here. Mrs. Susie Trover, who was also riding in the car which was driven by her husband, Henry Trover, was seriously injured. Both couples resided at Newcastle.

Mr. Trover, who was uninjured, accepted blame for the accident, saying that he cut across the road in front of the truck in an attempt to turn into a gasoline service station.

Charles Turlock of Renton, the truck driver, declared he had his heavy load of logs under complete control and was going slowly down the steep grade as he noticed the logging car approaching. Without warning, he said, the latter cut directly in front of him. The logging machine was demolished and thrown 10 feet off the road into a ditch.

CATTLEMEN OF WEST ON BORDER OF BANKRUPTCY

BEEF SUPPLY OF COUNTRY SAID PRECARIOUS

Grazing Restrictions Will Force Stock Men Out of Business, Believed

WASHINGTON, Oct. 24.—(By Associated Press.)—Unless the cattle industry is to be driven from the United States, congress must pass remedial legislation next session, Senator Cameron, republican, Arizona, declared today in a summary of his findings as the result of the senate committee investigation of grazing lands.

Virtually all cattlemen of the west are on the verge of bankruptcy, he said, adding that if something is not done within the next year they will be forced out of business. The cattlemen are not asking for charity but for an opportunity to retrench their war losses so that the United States will not be dependent upon South America and Australia for its beef supply with resultant high prices.

The cattlemen's difficulty, he said, can be traced to government restrictions on grazing lands on the public domain and in the national forests. At the next session he declared he intended making an effort to get legislation enacted which would give cattle men the right to lease land on the public domain for at least 10 years with the privilege of fencing the property.

The legislation also would include the establishment of national uniform grazing fees in national forests, which would prevent the government from charging 75 cents a head one year and \$1.50 a head the next.

The cattle industry would be in even worse condition but for Secretary Work yielding to his plea to postpone enforcement of the law requiring abolition of "drift" fences in cattle country until the senate committee had submitted its report, Senator Cameron said. "Drift" fences, he explained, were constructed cooperatively by the ranchers to prevent herds wandering wide areas and eliminate the necessity of employing a large number of herders.

W. U. LOSES IN TACOMA

WILLAMETTE TAKES SHORT END OF 7 TO 5 SCORE

TACOMA, Oct. 24.—The College of Puget Sound Loggers staged a passing rally that netted a touchdown in the final quarter and a victory 7 to 5 over the Willamette team, in their annual game here today. The Willamette team outplayed the Loggers in the first half, twice threatening a touchdown and was on the Tacoma's one yard line at half time. A safety and field goal in the third quarter accounted for Willamette's points.

According to a telegram to the Statesman by members of the team, Willamette outplayed its opponents throughout the entire game, making 17 first downs. Puget Sound made two.

The Willamette team exhibited a powerful offensive during the game. The northern college won on a fumble when Willamette muffed the ball on the 20 yard line, giving Puget Sound a touchdown after two passes.

DEMPSEY HIT BY FANS

MANY THINK BOXING CHAMP WILL NOT DEFEND TITLE

NEW YORK, Oct. 24.—(A.P.)—The New York Evening World today prints the result of a countrywide questionnaire to get the opinion of prize fight fans as to whether they thought Jack Dempsey, heavyweight, would defend his title within six months and whether he ever would meet Harry Wills. The results were:

"Do you believe Dempsey has any intention of meeting Harry Wills?" Yes—129; no, 2,371.

"Do you believe Dempsey has any intention of meeting Tunney or any other serious contender?" Yes—141; no, 2,539.

"Do you believe Dempsey has any right to the title if he does not defend it within six months?" Yes, 81; no, 2,419.

"Do you believe the several boxing commissions, acting officially, should declare his title forfeited should he not defend it in six months?" Yes, 2,351; no, 149.

MITCHELL COUNSEL ATTACKS STATUTES

Constitutionality of Ninety-Sixth Article Is Questioned by Attorney

FREE SPEECH ABRIDGED

Reid Declares Act Under Which Mitchell Is Indicted Contradicts Provision of the Constitution

WASHINGTON, Oct. 24.—(By Associated Press.)—The ninety-sixth article of war under which Colonel William Mitchell of the army air service has been indicted for court martial by the war department, may itself be brought to trial.

This possibility developed tonight when representative Reid of Illinois, counsel for the air officer, made public two statements challenging the constitutionality of the article, although he failed to reveal any indication of the procedure he would follow when the trial begins Wednesday.

"The right of freedom of speech is undoubtedly guaranteed by the constitution," Mr. Reid said, "and if the ninety-sixth article of war abridges that right, it is unconstitutional and void."

In the second statement, Mr. Reid invited attention to the fact that although his client had been charged with conduct prejudicial to good order and military discipline by issuing certain statements in violation of the 96th article of war, the truth of such statements were not questioned in the charges.

If the construction attempted to be put upon that article by the war department is allowed to prevail, he added, "it will seat at naught the constitution of the United States and the army and the war department will become a law unto themselves which will never be permitted under our form of government."

Mr. Reid asserted further that the war and navy departments had previously been scheduled to vigorous criticism from within and that the statements made by Col. Mitchell "are mild compared to those of General Hooker, General McClelland, Colonel Theodore Roosevelt and Admiral Sims, which were published broadcast, yet no disciplinary action was ever taken against them."

FORMER WIFE OF LATE TOBACCO KING IS DEAD

MRS. LILLIAN N. DUKE DIES IN ABSOLUTE PENURY

Lack of Sustenance Is Declared to Have Been Partially Responsible for Death

NEW YORK, Oct. 24.—(By Associated Press.)—Mrs. Lillian N. Duke, who was divorced 20 years ago by the late tobacco magnate, James B. Duke, died tonight in her music studio on West 88th street. She had been unconscious since October 22 when she suffered two cerebral hemorrhages.

Since the death of her former husband, on October 10, Mrs. Duke had been greatly depressed, according to her attorney, Miss Lillian Pugh, who said Mrs. Duke's condition was undoubtedly complicated by lack of food. She had refused to accept loans from friends, her attorney said.

The tobacco man's first wife died in penury, although 20 years ago she was mistress of a fortune then estimated at \$100,000,000. At that time Mrs. Duke presided over her husband's mansions in New York and Newport; in recent years she had been reduced to giving music lessons to a handful of pupils. She had studied at one time under Jean de Resseke.

Miss Pugh said Mr. Duke knew of his former wife's financial difficulties before his death. In his will, filed for probate on October 23, he made no provision for her, but left the bulk of his estate, now estimated at \$150,000,000, to his second wife, Mrs. Nanaline M. Duke, and to their daughter, Doris.

PRESS BOX AVAILABLE

SPORT WRITERS GIVEN SEATS AT UNIVERSITY

UNIVERSITY OF OREGON, Eugene, Oct. 24.—(Special.)—Newspaper men in the state will be issued seats for their first time in the new press box, which is being constructed on Hayward field grandstand, at the Oregon-O. A. C. game, November 14, Jack Benefiel, graduate manager, announced.

About 40 regular seats will be available, and will be assigned to sports writers, Telegraph and telephone wires will be provided for the reporters to facilitate rapid communication with newspapers and press associations.

"The new press box is well equipped to give the occupants an unobstructed view of the playing field," Benefiel said, "as it is situated on top of the grandstand."

NAVAL ACCIDENTS NOT DUE TO CARELESSNESS

RISKS MUST BE TAKEN, SECRETARY OF NAVY SAYS

When Accidents Cease, Navy Will Be Dead, Wilbur Declares in Speech

WASHINGTON, Oct. 24.—(By Associated Press.)—When accidents cease in the navy, the people should know the navy is dead, Secretary Wilbur declared today in an address before the convention here of the Orogregational church.

Reviewing the recent series of accidents to naval vessels, the secretary declared the navy must function daily in time of peace as well as in time of war and that this necessarily involved dangers which must be faced.

"We have had collisions between submarines while both were submerged," he said, "we have had collisions between submarines and surface vessels afloat. The recent disaster to the S-51 illustrates that no matter how careful or expert the crew of a submarine may be an overtaking ship may sink it."

"There are risks to be assumed in time of peace. Ships must be moved in the fog on dangerous coasts in time of peace if they are to be so moved in time of war. Airships must be flown in time of peace in conditions under which they will be compelled to fly in time of war."

"The United States navy is a living entity. It lives and moves and has its being. It is subject to the usual hazards of life. We do not live upon the principle that we should seek 100 per cent security, but that we accept all the hazards incident to our reasonable activities."

ARREST GLORIA, ORDER

CONTEMPT CHARGES FILED AGAINST CHARGES

NEW YORK, Oct. 24.—(AP)—An order to the sheriff directing the arrest of Gloria Swanson, moving picture actress, for contempt of court was signed today by Robert M. Marsh, a supreme court referee. He directed that she be held in the Ludlow street jail until she pays a fine of \$250 for contempt.

Order was issued because the actress failed to appear as a witness, but sailed for Europe instead. She had been subpoenaed in a suit brought by Janet Beecher, actress, to obtain custody of her son from her husband, Dr. Richard S. Hoffman.

PUBLIC TO BENEFIT BY AUTO TAX SLICE

Automobile Manufacturers Promise Reduction in Cars Following Cut

LEVY REPEAL IS SOUGHT

General Public Also to Be Given Advantage of Cut in Tax on Cigars and Theatre Admission

WASHINGTON, Oct. 24.—(AP)—Promise of automobile manufacturers to pass on to buyers, through lower priced cars full benefits of the removal of the \$10,000,000 annual federal tax levied against this industry was pledged today to the house ways and means committee.

Urging repeal of the levies against passenger automobiles as well as those on trucks, tires and accessories, the national automobile chamber of commerce reported it had the signed pledge of every manufacturer that if the tax was repealed, it would be entire from the buyers' purchase bill.

Lower priced cigars and theater tickets also were promised by representatives of these industries if the federal tax on cigars and admissions were reduced.

The committee which will start work a week from Monday on the drafting of a tax reduction bill, heard appeals for relief from these taxes today from more than 20 representatives of national organizations.

Secretary Mellon, however, gave no place for these reductions in his program submitted earlier in the week. He has suggested that the levels on admissions and passenger automobiles be retained. He did propose, though, that the tax on automobile trucks, tires and accessories be repealed.

After hearing protests today from the Mortgage Bankers' association and the American Farm Bureau federation against Mr. Mellon's proposal to repeal the estate tax, chairman Green announced he favored repeal of the federal tax after a period of six years.

Mr. Green previously had opposed repeal of the estate tax but had agreed to a plan to increase the credit allowed for payment of state taxes. He said he thought the six year period would give states opportunity to work out inheritance tax laws to prevent evasion of levy.

POLICEMEN ARE CHARGED WITH DEALING IN BOOZE

THREE OFFICERS AND ONE YAKIMA CIVILIAN HELD

Patrolmen Declared to Have Purchased Liquor From Man They Had Arrested

YAKIMA, Oct. 24.—Three Yakima police officers and one civilian were arrested here tonight on federal liquor charges and a second civilian was being sought. Arrests were made by S. E. Bunker, federal prohibition officer, stationed here. Harry Bair, Alden Schumaker and Fred Schumaker, the police officers, were held in \$1,000 bail, and Frank Howard, the civilian, was held in \$2500 guilty to conspiracy to violate the Volstead act when arrested before C. P. Borberg, federal court commissioner.

According to a signed confession made by Bair and turned over to Commissioner Borberg the three police officers recently arrested Howard with an automobile full of liquor. Howard, according to the confession, talked the officers out of arresting him and sold them the liquor. Later, the fifth man, who is now being sought throughout the state, approached the officers, claimed ownership of the liquor and demanded its return. This, according to Bair's statement, the officers refused to do.

In some manner the information became known to Bunker and he made the arrests. H. L. Allen, a patrolman until a few months ago, is now on trial in superior court on a charge of first degree assault in connection with the shooting of Howard (Greathouse) during an argument on the street while Allen was still a member of the police force.

MRS. WILSON RETURNS

WIFE OF LATE PRESIDENT IS STILL IN MOURNING

NEW YORK, Oct. 24.—Still dressed in deep mourning Mrs. Woodrow Wilson traveling as Mrs. Edith Wilson, returned from Europe tonight on the Berengaria. She was accompanied by Mrs. Bernard Baruch, Miss Belle Baruch and Miss Evangeline Johnson.

Mrs. Wilson went over in May, listed on the passenger list as "Eleanor Collins." She spent considerable time at Geneva, where she attended sessions of the league of nations. Upon her first visit there every member of the league rose as a mark of respect. Mrs. Wilson, it is understood will stay in New York for several days and then return to her home in Washington.

FOUR OVIS POLI BAGGED

ROOSEVELTS GET FINE SPECIMENS OF RARE SHEEP

CHICAGO, Oct. 24.—(By Associated Press.)—Theodore and Kermit Roosevelt have at last brought down "the head of heads." Their quest for the rare ovis poli, mountain sheep with the biggest rams' horns there are, was deferred during the moulting season, but the Roosevelts have bagged four of the striking fellows, according to a cablegram received here tonight by D. C. Davies, director of the Field Museum.

The cable, signed "Roosevelts" was sent October 23, just 30 days after the time the sons of the late president, traveling light and fast began their dash into the extremely high altitudes of the frozen Pamir plateaus, difficult of penetration and termed by Kipling "the world's white roof tree."

"Have had good luck with the ovis poli" said the message. "Have excellent group of four rams, besides several other specimens for the Field Museum. Are going straight to Srinagar, where Mrs. Roosevelt (the wives of the expedition leaders) will meet us."

Although the time that the Roosevelts will actually leave India is unknown here, the expedition may now be considered homeward bound.

PLUNGE KILLS STUDENT

U. OF O. JUNIOR FALLS FROM ROOF OF GRANDSTAND

PORTLAND, Ore., Oct. 24.—(By Associated Press.)—Alfred P. Goss, University of Oregon junior, who fell from the roof of the grandstand at the Multnomah field before the Oregon-California game this afternoon died at a hospital late today.

DEATH ESCAPE IS CLOSE

GUN DISCHARGED WHEN IT FALLS FROM BLANKET

MEDFORD, Ore., Oct. 24.—(AP)—Professor Carl Englehart had a narrow escape from death today when while shaking out the dust from a folded blanket at his ranch near Eagle Point, a revolver fell out. As it struck the ground, the revolver discharged sending a bullet into his chest. The bullet came out below his collar bone and dropped on the blanket. The wound is not serious.

THREE DIE IN SMASHUP

AUTOMOBILE AND STREETCAR CRASH RESULTS FATAL

BUTE, Mont., Oct. 24.—(AP)—Three men were killed and another was injured when their automobile collided with a street car here tonight.

DEER HUNTER IS KILLED

COMPANION FIRES SHOT, MISTAKING MAN FOR DEER

SPOKANE, Oct. 24.—(By Associated Press.)—Vance L. Moore, 33, Spokane, was shot and killed today while hunting near Orient, Wash. Thomas I. Summers, his companion said he shot Moore, mistaking him for a deer. Moore was in heavy timber at the time.

LOGGERS DISPLAY SET

SEATTLE, Oct. 24.—Everything used by loggers, from donkey engines to snuff, will be displayed at the Pacific Logging congress which will convene here October 28 to 30 according to plans announced here today.

JURY NOW OUT FOR 14 HOURS

Little Hope Is Held That Agreement Will be Reached; Twelve Believed Hopelessly Disagreed

NEW TRIAL IS IMMINENT

Retrial of James Willos and Ellsworth Kelley for Murder in First Degree Is Now Expected

The jury into whose hands the fate of James Willos and Ellsworth Kelley, convicts, had been placed at 12:15 o'clock Saturday afternoon by Circuit Judge Percy R. Kelley, retired to bed at 12:35 o'clock this morning without having reached a verdict. Except for short periods taken for lunch and dinner, the jury has been locked in the room continually.

Practical assurance that the verdict of the jury trying Ellsworth Kelley and James Willos, convicts, charged with first degree murder in connection with the killing of Guard John Sweeney during the prison break of August 12, will result in a new trial was evident at press time this morning as the jury had not yet reported its verdict, indicating that a new trial is imminent.

The jury received the case at 12:15 o'clock Saturday afternoon and deliberated more than an hour before being taken out for lunch. Further balloting continued, it could be seen from the street, after the lights in the room had been lit. It was not until after 7 o'clock that the order to go to dinner was received.

Actual cost of the two murder trials have not yet been computed but it is estimated that the Murray and the Kelly-Willos trials will cost the county between \$7500 and \$10,000.

In his final arguments for the state, John Carson, district attorney, urging the death penalty for the two convicts upon the ground that they conspired in the plot that led to the death of two guards and the wounding of another, said:

"It lies with you ladies and gentlemen of the jury, whether the sanction of the law is to be placed upon the commission of such a crime as we have proved these de-

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