

## CAPITAL PUNISHMENT LAW IS UPHELD. SLAYER OF BURGESS KILLED BY GUARD

### STATE SUPREME COURT RENDERS DECISION TODAY

#### Bingham's Decree Upheld in Kirby Case. Brumfield Included in 7 Awaiting Death.

Salem, Ore., March 21.—The constitutionality of the Oregon capital punishment law was upheld by the state supreme court in a decision handed down this morning.

The decision upholds the decree of Judge G. G. Bingham, of the Marion county circuit court, denying a writ of habeas corpus for the release of Elvie D. Kirby from the Oregon prison where he is held under sentence of death for participating in the murder of Sheriff T. H. Taylor, of Unatilla county, in 1920.

The Kirby appeal acted as a stay of execution in favor of several other prisoners held in the penitentiary here for death. They are:

John Hatfield, also charged with participation in the Taylor murder.

Richard M. Brumfield, convicted murderer of Dennis Russell, in Roseburg. Brumfield also has an appeal in his own right, however.

George Howard, convicted of murder in Malheur county.

Abe Evans, under sentence of death in Wasco county.

Husted Walters and Dan Casey, convicted in Multnomah county courts.

Governor O'Leary granted reprieves to all these men, pending the outcome of the Kirby case, until July 7.

The validity of the Oregon capital punishment act was attacked by attorneys for Kirby on the ground that it was a violation of his bill of rights from which, it was contended, no privilege hereafter granted could be subtracted. The law was repealed at a general election in 1914 and then restored in a special election in May, 1920.

The fight may be carried to the United States supreme court, attorneys for Kirby intimated this morning.

### Wiedfeldt Acceptable To American Government

Washington, March 20.—The United States has notified Germany that Dr. Otto Wiedfeldt, formerly an officer of the Krupp organization is acceptable to this government as new German ambassador to Washington. The notification was recently suggested to the American government and action on the inquiry was delayed until the return of President Harding.

### FIGHT RESULTS

Boston, Mass.—Benny Leonard, light-weight champion, didn't miss his hair shaving \$15,000 and a ten-round decision bout from Johnny Clinton at the Elks' gym.

New York.—Joe Burman, Chicago ban-weight won a 12-round decision from Mildred Smith, New York.

Philadelphia.—Bobby Barrett, Philadelphia knocked out Oakland Jimmy Duffy in the third round.

Montreal, Quebec.—Oscar Deschamps, Montreal light-weight, knocked out Frankie Brown, New York, in the first round.

Sandusky, Ohio.—Jack Wolfe, Cleveland, knocked out Eddie Smith, Philadelphia, father-weight, in two rounds.

Milwaukee.—Paul Bergs, outpointed Barney Griffin in eight rounds.

### IRISH SITUATION TENSE

London, March 21.—England is gravely perturbed at the threat of civil war along the Ulster border, it was reliably stated today.

It sparks from the Ulster border ignite the Irish tinderbox, it might be necessary to dispatch troops to restore order, it was admitted.

The situation along the Ulster front is becoming more serious daily.

While there has not as yet been a general conflict along the "Ulster front," last night was marked by brisk skirmishing which showed that both forces are ready and eager to begin fighting.

Bombs were thrown at scattered points. Bridges were blown up. Motor cars were seized. Trenches were dug across roads to act as traps for automobiles. With the coming of daylight the scouts withdrew to their own sides of the line.

### JUSTICES ASK RE-ELECTION

Salem, March 21.—Three members of the Oregon supreme court, including Chief Justice George H. Burnett and Justices John McCourt and John I. Rand, filed with the secretary of state formal declarations of candidacy to succeed themselves at the republican primary election May 19.

### P. O. BILL IS PASSED

Washington, March 21.—The postoffice appropriations bill, carrying \$825,774,000, was passed late today by the senate after a heated fight. The measure carries \$83,500,000 more than as passed by the house. \$50,000,000 of the increase being for federal highway aid.

### The Weather

Oregon tonight and Wednesday rain; moderate westerly winds.

### Bulletins

Washington, March 21.—The soldiers' bonus bill will be moved through the house Thursday under "suspension of rules" with four hours debate, under an arrangement made today by Speaker Gillette and Chairman Campbell of the rules committee.

Under this arrangement the bill will be jammed through without amendments and without any motion to send it back to the ways and means committee.

Lawrence, Mass., March 21.—Announcement of a wage reduction by Textile mills probably will be followed by a strike next week, union leaders intimated today.

All big mills except the American Woolen company announced the wage cuts. About 25,000 operatives will be affected.

New York, March 21.—George L. Rickard, millionaire promoter of the Dempsey-Carpenter fight and other world famous sporting events, was pilloried in Justice Wasservogel's court this afternoon as a betrayer of girls.

Assistant District Attorney Pecora, making the opening statement for the state in Rickard's trial, declared the state would prove he repeatedly lured girls to his office in the tower of Madison Square Garden—scene of Stanford White's studio parties—and to an apartment in the New York theatrical district. Rickard listened to Pecora's charges with a very serious expression and an occasional whispered word to his lawyers. Pecora went into intimate details in his description of Rickard's alleged offenses.

Pecora concluded his statement sooner than expected. The defense decided to reserve its opening until after hearing the prosecution's evidence and Sarah Schoenfeld, 15, was called as the first witness.

This girl with bobbed black hair, short dresses and a hip, smiled and stammered her way through a narrative of Rickard's alleged advances.

She said she first approached her at Madison Square Garden in August, 1921.

Guided by Pecora's questions, she then described other meetings with the sport promoter.

### Unionism Topic of Speaker At Progressive Club Lunch

Members of the Progressive Business Men's club, at their regular weekly luncheon today at the Anchorage, heard Albert Tipton, song leader at the revival meetings now being conducted at the Baptist church, discuss "Unionism." Mr. Tipton, who comes from Seattle, is an exponent.

Vocal music was furnished by boys and girls of the Eugene high school, and piano music by Charles E. Mayhew.

### Lane Scenery Pictures Will Appear in California Papers

Ten pictures of Lane county scenery will be forwarded by the Eugene Chamber of Commerce to Herbert Culbert, secretary of Northwest Tourist Association, who will use them in California for advertising purposes. The tourist association is advertising in California newspapers to attract tourists to the northwest and the ten pictures sent from Lane county will be used in newspaper cuts.

### Republican Lead of 1920 Cut in Maine Elections

Augusta, Maine, March 21.—John T. Nelson, republican, was elected to succeed Congressman John A. Peters, resigned, in the special election in the third Maine district yesterday, complete returns showed today.

Nelson defeated his democratic opponent, Ernest McLead, by 6242 votes. In 1920 republicans won the district by 19,000 votes.

### Piles, Ex-Washington Solon, Is Made Minister to Colombia

Washington, March 21.—Ex-Senator Samuel H. Piles of Washington has been elected minister to Colombia, the White House announced today.

### England Plans to Pay U. S. Interest on Debt in Autumn

London, March 21.—Britain is planning to pay a half year's interest on its debt to America in the autumn. Sir Robert Horne, chancellor of the exchequer, said in the house of commons this afternoon.

### Shades of Captain Kidd! This Seaman Wears Skirts

San Francisco, March 21.—Ernest Long, chief engineer of the steamer House City, was arrested here today charged with wearing women's clothes in public and carrying concealed weapons.

He was arrested last night while walking with his wife. Long, dressed in a fashionable gown with short skirt, spider web stockings, snappy spring hat, his cheeks rouged and dangling a hand bag in his hand.

Mrs. Long told officers that for seven years her husband had made a practice of going out dressed as a woman. She said his wardrobe contained only one suit of men's clothing.

"I'm trying to look up with a sensible skirt," Long said. "But I'm not ready yet. I would not want any publicity right now."

Mrs. Long said she intended to sue for a divorce.

### Inspect Road Which May Be Improved This Year

An inspection of the Junction City-Harrisburg road with the idea of changing it to conform with the state survey is being made today by P. M. Morse, county engineer, and Jack McKy, roadmaster. The county and state may improve this highway during the summer.

The state has agreed to grant this stretch of highway if the county will grade the road on approximately the state survey, according to Judge W. P. Harward. It is probably that this is what will be done during the season, says Judge Harward. The road at present is in very poor condition.

### HUGHES STRIKES BACK AT CRITICS OF DELEGATION

#### Secretary of State Denies Secret Agreements as Charged by Senator Borah.

By LAWRENCE MARTIN (United Press Staff Correspondent)

Washington, March 21.—Secretary Hughes struck sharply at senate critics of the American arms conference negotiators of the four-power pact today. In a letter to Senator Lodge he denied that any secret agreement exists between the United States and Great Britain as charged yesterday by Senator Borah. Hughes, in stinging language, also expressed the hope "the American delegates will be saved further aspersions on veracity and honor."

Lodge had Hughes letter read to the senate with a lengthy telegram from Paul B. Cravath, New York lawyer upon whose alleged statements in the semi-private of an informal discussion at a club, Borah based his charge of a secret understanding with Great Britain. Cravath said he never made any such statement and that the most he ever said was that the Washington conference had created such sympathy and understanding between the two nations that further co-operation was bound to result as a result as a matter of course.

He denied that he ever intimated there was a secret agreement relating to joint operations of the American and British fleets against Japan or covering co-operative action in the Pacific or East Asia.

Lodge Letter Follows.

In his letter to Lodge, Hughes said: "My Dear Senator, I notice that you have intimated in the course of debate over the four-party treaty that there is a secret agreement or understanding between this government and Great Britain with respect to Pacific matters. Any such statement is absolutely false. We have no secret understandings or agreements with Great Britain in relation to the four-power treaty or any other matter."

"In my letter to Senator Underwood on March 11 in relation to the four-party treaty, I said: 'There are no secret treaties or understandings.'"

"I permit me to express the hope that the American delegates will be saved further aspersions upon their veracity and honor."

Senator Borah sought to discuss the Cravath and Hughes denials, but Senator Edge, New Jersey, who had taken the floor for a net speech, declined to give way.

Edge Favors Genoa Meet.

"If the league of nations covenant, with its guarantee to preserve existing territorial possessions was not conducive to war, then there is no danger in the four-power treaty," Senator Edge argued.

"Whether the Anglo-Japan alliance," Edge said, "was a menace to the United States or otherwise it appears to me as common sense to scrap a two-party offensive alliance and to substitute a four-party treaty with the assured participation of the four powers particularly interested in Pacific possessions and endeavor by our very presence to influence a recognition of the policies and traditions which the United States has always subscribed."

American participation in the Genoa conference would be a good thing, Edge said, because sooner or later "in our interest, we must assist in adjusting the economic difficulties of the world."

### MILLAGE BILL REPEAL ARGUED AT PORTLAND

Portland, March 21.—The abolition of the 1.2 millage tax for higher education voted by the people in 1920 was the center of a hot and stormy debate by the state convention of Oregon tax reduction clubs.

The committee on tax reduction developed 11 to 7 on the subject and returned a majority and a minority report to the convention and the debate was upon the submission of the minority for the majority report.

The majority report read: "We recommend the repeal of the 1.2 millage tax adopted by the people May 21, 1920 for the Oregon Agricultural college, the University of Oregon and the Oregon Agricultural School."

Other resolutions reported by the committee were:

"We oppose paying more than \$5000 to any official of the state government of Oregon."

"We oppose the educating at state expense of men who expect to become lawyers."

"We oppose further bond issues and believe bonds already authorized should not be sold at less than par."

"We oppose the appropriating of state money for armories and we oppose appropriating more than \$50,000 per year for the national guard of the state."

"We oppose the appropriation of state money for support of the Pacific Livestock Exposition and for the Pacific International Livestock show."

"We oppose the appropriating of state money for the commercial fish commission."

"We recommend the recall of the public service commission."

"We favor the abolition of the bounty on predatory animals."

The debate on the millage tax recommendation continued during the afternoon session, although there was some indication a compromise would be reached today on a suggestion made by John U. Smith of Newberg, who advocated that the present millage law should be amended so that the millage tax would apply to the activities of the Oregon Agricultural college, such as extension and experimental work and federal co-operation.

His suggestion seemed to meet with the favor of the defenders of the millage tax.

Dean Walker Comes Near Blows.

One of the unusual incidents of the debate was an altercation between Dean Walker of Eugene and J. B. Ziegler of Portland which threatened to culminate in an exchange of blows. When Ziegler arose to speak on the motion before the house Walker also arose and objected to giving Ziegler the floor, saying that he had libeled members of the American Legion.

He said he had two witnesses to prove his statements and that "lie."

It developed that Ziegler was an accredited delegate and the chairman ruled that he could make his talk providing he spoke to the subject. As to the controversy between him and Walker that could be settled at another time.

Walker yielded his objection and the excitement blew over.

### Church to Hold Sale and Program Thursday

A church store sale will be held at the Fairmount Presbyterian church, Fifteenth and Villard, Thursday evening, March 23, beginning at 7:30 o'clock. The sale is to be under the auspices of the Ladies' Aid society and the proceeds will go to help build the addition to the church, work on which is to begin soon. Articles to be placed on sale have been donated by residents of Fairmount as well as a large number of business houses in Eugene.

After the sale there will be a social time accompanied by a short entertainment. Everyone is invited. A two-net play entitled "Turning the Table" will form the bulk of the entertainment.

### AMBASSADOR GEDDES HONORED

San Francisco, March 21.—Sir Auckland Geddes, British ambassador who is in California to speak at the University of California Charter Day exercises, will be the guest of honor at a dinner tomorrow night given by former residents of England.

### Roy Gardner Is Innocent of Mail Robbery

Sacramento, March 21.—Pleas of guilt by John Hanstrata, A. H. Cain and Walter Hooper brought to a sudden end the trial of the three men in federal Judge Van Fleet's court here today. The case had been in progress for several days before a jury.

The three defendants admitted they had entered into a conspiracy to sell securities which were stolen in a mail car robbery near here last May, when \$183,000 worth of bonds were taken.

The defense admitted it would be useless to continue in the face of the testimony that was being offered.

Judgment was withheld by Judge Van Fleet to give the three men an opportunity to reveal the location of many thousands of dollars worth of securities which had not been recovered.

Roy Gardner, mail robber, was previously found guilty for this same robbery and had 25 years added to his long list of sentences.

Hanstrata was arrested in Seattle last fall. Cain was captured in Milwaukee and Hooper in Sacramento.

### MINERS VOTING ALMOST 100 PER CENT TO STRIKE

New York, March 21.—Bituminous and anthracite miners are ordered to cease work March 31, at midnight, in an order issued by President John L. Lewis of the United Mine Workers of America. The suspension of work, ordered by sanction of the international convention of the United Mine Workers and sanctioned by the miners through a referendum vote, will continue until terminated by action of the policy committee of the organization and until you are further officially advised," the order said.

The order was independent of the strike vote which is still being counted. The vote thus far indicates a 9 to 1 majority in favor of the suspension as a weapon to force mine owners into interstate wage conferences.

Mines in both the United States and Canada with the exception of those around Nova Scotia, will be closed under the orders which went to officers of 4,000 local unions. The Canadian mines produce soft coal.

### Blockade on Booze Is Set up by Nation

By PAUL R. MALLON (United Press Staff Correspondent)

Washington, March 21.—A twentieth century blockade, composed of airplanes, subchasers and speed automobiles, linked together by wireless is being set up by the prohibition bureau.

Plans are maturing, officials declared here today for a ten thousand mile "wall" about the United States to stop the flow of alcohol.

With this blockade 100 per cent effective, prohibition chiefs are confident the only source of supply of "good" liquor will be completely cut off and that drinking thus will be ended by working out this plan, Commissioner Roy A. Haynes already has:

Obtained the use of airplanes on the Florida and Texas borders.

Secured a fleet of mine subchasers to work in south Atlantic waters.

Concentrated highly equipped forces on the New York, New Jersey and New England coast lines practically chasing the majority of smugglers from that section. Set up a system of wireless communication along the Canadian border in Michigan to enable law officers to chase smugglers more readily.

Placed teams of road experts to the territory where smugglers now are concentrating to build up the blockade gradually.

### BOOM CASE STARTS; COURT TO ADJOURN

The suit to recover \$1502, alleged due for labor and materials, by E. P. Waite against the Shulaw Boom company, started in circuit court today will probably go to the jury late this evening. This is the last jury case until April 10.—Judge G. F. Skipworth is called to the Benton county division of his district to hold a spring term of court.

It is being held to last but a day for the Shulaw Boom company and furnish labor and materials which amounted to \$1502 that he was not paid for. The jury in the case consists of Minnie Anderson, Gilbert Tyson, Paul Clark, John Hastings, Herman Baumstater, Martha Bennett, Ivy Davidson, Agnes McLean, Charles M. Emory, Percival Lott, James Laxton and Sarah Rankin.

### Allege Fake Solicitor Captured in Sacramento

E. F. Elstrom, who was in this city several weeks ago taking subscriptions for a magazine and who was charged with stealing from the home of Mrs. LaPorte, was arrested yesterday in Sacramento, California, according to a telegram received by Sheriff Fred Stickle, Sheriff Stickle became aware that Elstrom was in Sacramento through a resident of Eugene who was in that city.

Besides the charge of stealing a piece of jewelry from the home of Mrs. LaPorte, the arrested man is wanted here on a charge of holding a \$25 room rent bill at the Smeed and also the magazine company for which he purported to be working has charged him with fraud, according to Sheriff Stickle.

### Fatty Arbuckle's Jury Is Completed This Forenoon

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Previously the court had overruled the state's demand for the removal of one member of the jury previously passed.

Court adjourned until this afternoon when testimony will be started.

"We are entirely satisfied with the jury," Arbuckle's attorneys said.

### Japs Ignoring Charges Of Chita Government

Tokio, March 21.—Japan will not take formal cognizance of the charges of representatives of the Chita government that Marshal Joffre, while visiting in Japan, negotiated a Franco-Japanese agreement with regard to Siberia.

A high Japanese official today declared that the government feels the charges are too ridiculous to be dignified with a denial.

### CRESWELL FARMERS ORGANIZE

Creswell, March 20.—The first meeting to organize a local unit of the farmers' union was held Saturday afternoon at the American Legion hall and was addressed by E. E. Oakes of Springfield, county organizer; Mr. Burkholder of Coquille, a member of the organization in this county; and F. A. Sikes of Corvallis, editor of the Farmers' Union News. The object of the organization is to obtain marketing facilities for farmers for their grain and produce and to enable them to purchase supplies in large lots. A meeting will be held later for permanent organization as several of the local farmers signed cards.

### MADALYNE OBENCHAIN'S SECOND TRIAL IS JUNE 5

Los Angeles, March 21.—Madalynne C. Obenchain must face her second trial for the alleged murder of John Belton Kennedy, her lover, on June 5.

This date was set by Superior Judge Sidney N. Reeve today. Mrs. Obenchain, with attorneys for the defense and prosecution, was in court.

The second trial will probably not be heard before Judge Reeve, it was indicated. The state, the defense and the judge himself agreed that it would be preferable to have it assigned to some other department of superior court.

A jury in Mrs. Obenchain's first trial was discharged Sunday night, after failing to break a deadlock developing on the first ballot taken after the case was placed in its hands Friday noon.

The vote was nine for hanging and three for acquittal.

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### OGLE, LIFER AT PENITENTIARY, IS SHOT TO DEATH

#### Clairemont Tavern Bandit Throws Rock at Guard, Drawing Fire. Slew Two Men.

Salem, March 21.—James Ogle, lifer at the state penitentiary, was shot dead this morning by Guard John Davidson. Ogle had thrown a rock about the size of a baseball at Davidson and made a move as if to cast another.

Ogle was serving a life term for his part in the Clairemont Tavern murders near Portland in November, 1919. He had confessed to being the man who shot George Perlinger and J. G. Burgess of Pendleton, when he, with David Smith and Walter Bannister, also serving life terms, attempted to hold up the tavern.

Ogle had been kept in the "bull pen" for almost a year as an unruly prisoner. A month ago he made the assertion, according to prison officials, that he would get out before March 19 and "get someone."

Davidson, as a result of this reported threat, had been ordered to watch the man closely.

Where Ogle secured the rock he hurled at Davidson before the guard's bullet pierced his left breast has not been learned. Ogle had records at Monroe reformatory and Walla Walla prisons in Washington and the Deer Lodge penitentiary in Montana.

### ATTEMPT MADE TO MURDER DIPLOMAT

Paris, March 21.—Four shots were fired at Chinese Minister Tehengold by a Chinese student last night.

The minister was unharmed, but one of the bullets wounded Tsan Gao, an official of the Chinese railway system. The student was arrested. He said Tehengold was a traitor.

The attempted assassination occurred when the diplomat, accompanied by several colleagues, drove from his place of residence last night.

Three of the four bullets hit the automobile. The fourth struck Tsan Gao in the head. His condition is serious.

The assassin was captured this morning. He was defiant and insisted his act was justified.

### America Should Not Look For Olympics, Says Rubien

By HENRY L. FARRELL (United Press Staff Correspondent)

New York, March 21.—America has too much money to get the Olympic games for years to come, according to Frederick W. Rubien, secretary of the A. A. U. While talking at a meeting of the Metropolitan association last night Rubien said no city in the United States should get worked up over the prospect of staging the games because it would be a false alarm. Sentiment among the European nations, he said, is that America has so much money she should do most of the traveling and that the games should be kept on the other side of the water.

In building a stadium and getting ready for the games, Los Angeles has gone ahead without receiving any encouragement. Los Angeles could not be blamed for proceeding with plans when Conbenton announced it as the only alternate.

### OPENING OF MONEY MARKET

New York, March 21.—Demand sterling opened at 420 1/2; francs 480 1/2; lire 400 1/2; marks 400 1/2.

### TODAY IN CONGRESS

Senate.  
Continues debate on four power treaty.  
House.  
Republican leaders confer on soldier bonus.  
Debate resumed on army appropriation bill.

### Life Bird Is Selling Stock In a Company That's Making Money Since for Movie Fans. If Mother Ever Gets a Six-hour Day, Somebody's Goin' to Be Robbin' Payin' for overtime.

