

Prediction Fair
Maximum yesterday 55
Minimum today 34

Maximum 58
Minimum 32

Daily—Eighteenth Year.
Weekly—Fifty-Third Year.

MEDFORD, OREGON, THURSDAY, NOVEMBER 22, 1923

NO. 209

BORDEN IS OPPOSED TO PROHIBITION AID

**Dist. Attorney Borden Asks
Special Prosecutor Boggs to
Be His Deputy Or Step Out
—Boggs Declines—Borden
Opposed to Needless Ex-
pense and Divided Authority.**

Local political and reform agitation which has raged for months with the district attorney's office as the storm center is brewing anew, over the functioning of Attorney O. C. Boggs, as "special prohibition prosecutor," an appointment given him last July by Governor Pierce. The turmoil arising from this appointment resulted in Rawley Moore resigning as district attorney and Newton W. Borden being named to fill the vacancy taking office November 12th.

Regarding the situation, District Attorney Borden today made the following statement:

"Mr. Boggs was appointed special prosecutor by Governor Pierce under a law the constitutionality of which is in doubt, and which I view as a direct slap at the incumbent official. A special prosecutor may be appointed on grounds of incompetency and neglect, the law reads.

"I accepted the position, without any solicitation upon my part, and with no strings attached. I went in to do my duty, fearlessly and without favor, and to the best of my ability.

"As I see it, the retention of Mr. Boggs is a reflection upon my ability to handle the job. I have not been in office long enough as yet to determine whether I am capable or incapable. I believe I can attend to the duties of the office without interference.

"I therefore went to the county court and the circuit court and informed them that the present situation was such no self-respecting man would tolerate, and after a discussion of the matter, it was suggested that I offer Mr. Boggs the position of deputy district attorney. I did this, and Mr. Boggs declined.

"Considerable local pressure is being brought to bear by certain local interests to retain Mr. Boggs on the job, and there has been considerable 'back passing' back and forth, but here is one that will not accept the 'back'.

"I told the county court that in the interests of harmony and non-duplication of authority in the district attorney's office that Mr. Boggs should step out. It would also cut down the expenses.

"I do not know what the outcome will be, but I intend to stand firm for what I believe to be right and just.

"Defense attorneys in cases prosecuted by Mr. Boggs contend his right to do so, and already motions have been filed in two cases questioning his rights to do so. This is a matter of concern to local peace and pocket-book.

"It is my theory in this matter, that the commission of Mr. Boggs' expired with the resignation of Mr. Moore, and there is no further need of a special prohibition prosecutor in this county.

"I have gone as far as any fair-minded man would be expected to go, by offering Mr. Boggs a deputy district attorneyship, which he refused, and the attorney-general made a ruling that Mr. Boggs could not hold two lucrative positions—special prosecutor and deputy district attorney—at the same time. There the matter rests.

"I have at all times expressed a willingness to co-operate with Mr. Boggs and bear the brunt of the friendliest feelings towards him, and my present stand is one I conscientiously believe to be for the best interests of law enforcement in Jackson county."

Several liquor cases are pending before the grand jury, which took a recess today and the right of Mr. Boggs to appear before that body is another point of contention. The law specifically provides that only "the district attorney and the witness being examined shall appear in the grand jury room."

Oklahoma Senate Takes Up Question Of Anti-Klan Law

OKLAHOMA CITY, Okla., Nov. 22.—(By Associated Press.) The state senate today took up the question of anti-klan legislation in an effort to incorporate in one bill the best features of several measures proposed. Argument swung promptly to the provisions of all the bills which would make it compulsory for membership rolls of all secret organizations to be filed with public officials. After an hour's discussion no decision had been reached.

BRIDE BURGLAR CAPTURED BUT GROOM ESCAPES

Honeymoon Crime in Los Angeles Results in Death of Deputy Sheriff and Wounding of Detective—Bride Confesses.

LOS ANGELES, Nov. 22.—Special Deputy Sheriff Robert C. McGee was killed and Detective M. W. Luke was seriously wounded by a honeymoon burglar, according to the story told to police today after an all night grilling by the bride, arrested near the scene of the killing. She gave her name as Mrs. Edward M. Canton of this city.

She said her fugitive husband was a deserter from the U. S. S. Arizona, and according to the police, declared that he fired the shots that killed McGee and injured Luke.

The girl, 22 years of age, said that before her marriage last Monday her name was Jeanne M. Johnson, and that her home was at Long Beach.

With the girl's address in their possession, officers surrounded the house named as her home in the residential district here but discovered that Carlton, accompanied by his wife's sister, had left. It is believed they have headed for San Diego and officers are searching the highways for the pair.

When arrested Mrs. Carlton, who was handsomely gowned in evening attire, carried a pistol but it had not been discharged.

"My husband gave me that," she told the police, pointing at the weapon, "and told me to use it and end my own life before submitting to arrest."

McGee was slain and Luke wounded when police cornered a man and a woman burglar in a home in one of the residential districts last night. The man escaped by jumping from an upstairs window but the woman was captured in a clump of bushes nearby.

LOS ANGELES, Nov. 22.—Search for the burglar who shot and killed Robert McGee, special deputy sheriff, when McGee and two policemen last night interrupted an alleged attempt to loot the home of J. Belding spread today over the boulevards of southern California along one of which it is believed the slayer's car may be speeding in an attempt to slip through the net thrown out by the authorities within a few minutes after the shooting.

Shots fired at a patrolman who tried to halt an automobile eastbound several miles from the scene of the killing led to the theory that the slayer might be headed east and south toward the Mexican border.

A woman who was captured when she attempted to escape from the Belding residence after the slaying gave her name as Julia Johnson, 25, and admitted according to the police, that she and a male companion were engaged in looting the house when interrupted by McGee and the officers. She would not divulge the man's name.

SAN FRANCISCO, Nov. 22.—"Peep" Webster won a decision over Gene Cline in a fast four round mix here last night and as a result laid claim to the welterweight championship of the Pacific coast.

Engle was arraigned before United States Commissioner Stephen G. Long yesterday on a charge of violating the national prohibition act after federal agents had found that a large packing case marked "films" and addressed to him contained many thousands of dollars worth of bonded liquor. He denied all knowledge of the shipment and was released on \$2000 bail.

BERLIN TO CONTINUE IN PEACE AIM

**Chancellor Stresemann Tells
Reichstag Germany Will Try
Again to Reach Agreement
With France, But Admits
Powerless to Force Conces-
sions.**

BERLIN, Nov. 22.—(By the Associated Press.)—In a vigorous defense of his administration before the reichstag today Chancellor Stresemann welcomed the renewed American interest in the reparations problem and said he hoped an international conference would be convoked.

He also took the occasion to deny the reports published in the German press that the government had been officially approached by American financiers and added that he had not been informed of any impending international financial action.

The address, which occupied two hours in delivery, dealt at length with both the foreign and internal situations and was wholly in the nature of a vindication of the chancellor's policies.

The government is to demand a positive vote of confidence, from the reichstag, the outcome of which is yet in doubt. Mr. Stresemann was liberally applauded by the three government parties but their combined vote is insufficient to give him a majority vote.

The reichstag was heavily plecteted with security police in order to prevent the entry of the communist deputy, Remmele, who was barred in consequence of his obstructive tactics yesterday.

To Continue Efforts

Dr. Stresemann said that despite Germany's serious position, efforts would be made to continue negotiations with France because the German government desired to leave no stone unturned in its efforts to affect an agreement and improvement in the situation. The reichstag, however, must not be led away with the idea that concessions to France would do much to help Germany. The reich was in too weak a condition to force counter concessions from France.

"Germany will bleed to death over the Rhine and Ruhr if the wound is forcibly kept open by France," he said. "The declaration by France that our help to the hungry Germans in the Ruhr constitutes continuance of passive resistance is untrue; is shameful."

"If Germany permitted France to take coal, not for reparations but for other purposes, then Germany would be acknowledging the justice of the Ruhr occupation. Germany had not one creditor but the whole entente. It was not right therefore that only one should pocket the money."

As to Germany's internal condition, it could only be improved by introducing labor working days.

Willing to Quit

LONDON, Nov. 22.—In his address before the reichstag today Chancellor Stresemann is quoted by agency dispatches from Berlin as declaring that his government would relinquish office if it were considered necessary and that he hoped the reichstag would make up its mind quickly so he might know whether he should continue.

He declared Germany's internal position was hopeless and so far as he could see there was not the slightest prospect of effecting improvement.

France had expressed fear of serious German developments arising from recent incidents, but he could assure France that any developments that might occur would be due entirely to France herself.

The communist deputies constantly interrupted the chancellor.

The Noted Dead

SPRINGFIELD, Ill., Nov. 22.—Bishop Granville H. Sherwood, 45, of the Springfield diocese of the Episcopal church, died this afternoon at his home here. Death is supposed to have been caused by heart disease. He had been bishop of the Springfield diocese since 1917.

LONG BEACH, Cal., Nov. 22.—Geo. A. Robinson, owner of the Clarence A. Wortham shows and one of the best known show men in America, died today following a nervous breakdown.

Robinson was 49 years old and is survived by a widow and a sister, Mrs. Viola Stanton of Portland, Ore.

"Scalped" By Avalanche, On Jungfrau, Girl Will Return and Finish 14,000-Foot Climb



ABOVE: MISS SHORT AS SHE LOOKS WITH AND WITHOUT HER WIG. BELOW: PINNACLES NEAR TOP OF JUNGFRAU WHICH MISS SHORT WISHES TO CONQUER.

NEW YORK—Though nearly scalped by an avalanche near the finish of her ascent of the Jungfrau, Miss Betty Short, 18-year-old pianist, of San Francisco, will return to Switzerland next year to complete the climb.

Rocks dislodged by a party of mountain-climbers above her struck Miss Short, knocking her unconscious. Carried down the mountain to a doctor, it was found Miss Short had suffered an 8-inch gash in her scalp, which will necessitate her wearing a wig the rest of her life.

BUSINESS MEN FUSON AWARDED

EMPLOY GUN TO COLLECT DEBTS

CHICAGO, Nov. 22.—Everett Leonard, 55, Chattanooga manufacturer, and his son Willard, 21, alleged to have made Roger Naylor, a Chicago distributor, a prisoner with handcuffs and revolvers and held him for 25 days in their Chattanooga home in an effort to collect a debt of \$9,000, today were formally charged with assault with intent to commit murder, carrying concealed weapons and kidnapping.

They were arrested yesterday outside the building where Naylor has an office and according to the police, were armed with three revolvers, cartridges and the handcuffs. They had come, the police say, to get Naylor to get "the money or get Naylor."

The elder Leonard in his cell at the detective bureau denied that Naylor had been kidnapped.

Naylor called the police yesterday and said he had received a telegram that the Leonards were coming to get the money or take him back to Chattanooga.

Across the street he said the two men were waiting. The detectives went out and arrested them.

The story that Naylor told was to the effect that he had business dealings with the Leonards. The elder Leonard said Naylor had been acting as the distributor here and was indebted to them for \$9000. Naylor said they came to his office on October 13 with guns and handcuffs.

In Chattanooga Naylor asserted he was held prisoner for 25 days in Mr. Leonard's home. He said he was not mistreated.

"I was held a prisoner until I signed a check of agreements promising to pay Leonard specified sums at specified periods," he said.

Liberty Bonds.

NEW YORK, Nov. 22.—Liberty bonds closed: 3 1/2's 99.23; first 4 1/2's 98; second 4 1/2's 97.29; third 4 1/2's 98.31; fourth 4 1/2's 97.31; U. S. Government 4 1/2's 99.15.

SEATTLE, Nov. 22.—Players of the Seattle hockey team won the third Pacific Coast Hockey association game here last night by beating Vancouver's sextet in a hard-fought contest 3 to 1.

2 Eureka Suspects Not D'Autremonts, Officials Declare

EUREKA, Cal., Nov. 22.—Two men held here on the theory that they were Roy and Ray D'Autremont, most who are sought in connection with the Southern Pacific train holdup at the California-Oregon state line October 11, were found not to be the men wanted, county officers announced last night. This conclusion was reached, it was said, after a check with photographs of the D'Autremont twins. The men still are being held on local charges.

DOCTOR COOK IS SENTENCED TO 9 YEARS IN JAIL

**Fake Discoverer of North Pole
Given Fine of \$12,000,
Scathing Denunciation From
Bench and Is Locked in
Jail.**

FORT WORTH, Texas, Nov. 22.—Dr. Frederick A. Cook, S. E. J. Cox, and eleven others convicted yesterday in the federal district court and sentenced by Judge J. M. Killitts to serve penitentiary sentences and pay fines ranging from \$1000 to \$12,000, will have to remain in Tarrant county jail for two months, even if they succeed in making appeal bonds.

FORT WORTH, Texas, Nov. 22.—Short of any glory that may accrue because of his spectacular oil promotions and his colorful adventures to the ice-gripped regions of the pole, Dr. Frederick A. Cook faces a cell in the Tarrant county jail today. His last oil promotion, the Petroleum Producers' association, was his undoing.

Late yesterday Dr. Cook was sentenced to fourteen years and nine months in Leavenworth penitentiary by Judge John M. Killitts of Toledo, Ohio, who tried his case. Added to the sentence is a fine of \$12,000.

The defendant was charged with using the mails to defraud. If he appeals his case he must arrange bond of \$75,000, perhaps the largest ever named in Texas.

Joseph Weldon Bailey, his senior counsel, said he could not provide the sum demanded and if he cannot, Dr. Cook must stay in jail until his appeal is heard.

In jail with Dr. Cook are thirteen of his former associates. Among them is S. E. Cox, one of the most colorful oil promoters Texas has ever known. He must serve eight years in the penitentiary and pay a fine of \$8000.

Cook left the court room with the most stinging denunciation ever heard in a Texas court room ringing in his ears.

After he had accused Dr. Cook of robbing widows and orphans, the aged and destitute, Judge Killitts said:

"Cook, have you no decency at all? Are you not haunted at night by these pitiable figures you have robbed? How can you sleep?"

Dr. Cook said nothing. He stood leaning against the clerk's desk, his eyes to the floor. Not a muscle twitched nor did any sign of emotion pass over his face.

"Cook, this deal of yours is so damnably rotten that it seems to me that your attorneys must have been forced to hold their handkerchiefs to their noses to have represented you," the judge said. "The way I feel about you, I wish I were not so circumscribed you should not be allowed to run at large at all."

"I know you have your ill gotten gains put away. Your counsel came to me and asked what your bond would be. I set it too low. They said they could not make it, but it is sheer waste of sense to say you can't. They must be under the spell of your peculiar personality."

WASHINGTON, Nov. 22.—Senator Borah, republican, Idaho, conferred with President Coolidge today for half an hour on tax revision.

The proposal of Secretary Mellon for a reduction averaging 25 per cent in income tax and 50 per cent in surtaxes was talked over at length, but the Idaho senator declined to discuss the details of the conference. He indicated he would make a statement later.

Senator Ernst, republican, Kentucky, also called at the White House and announced that he would favor a reduction of taxes along the lines of the Mellon plan or any other feasible plan. He said he was unalterably opposed to soldier bonus legislation.

LONDON.—Harry Mason retained the European lightweight championship by defeating Ernie Rice on points in twenty rounds.

STOKES CASE IS SETTLED, FIGHT OVER

Notorious Divorce Action Terminated at Last By Separation Agreement—Wife to Get \$800,000 Trust Fund and Gives Up Dower Rights—Wants Name Cleared.

CHICAGO, Nov. 22.—Mrs. Helen Elwood Stokes, who today in New York City effected a settlement of the litigation with her husband over their marital troubles, in a telegram to her Chicago counsel today urged that he "push the prosecution" in the case in which her husband, W. E. D. Stokes, one of his New York attorneys, Daniel Nugent, and five others, were indicted here a few weeks ago charged with conspiring to defame Mrs. Stokes.

"I am more concerned in the vindication of my good name than I am in Mr. Stokes' money," said her telegram, as made public by her attorney, Charles E. Erbshtein. "You unearthed the conspiracy against me and I know that even if I had a desire to dismiss any of these cases that it would be a matter for your state's attorney. However, Mr. Erbshtein, it is my desire that you push the prosecution against all, including Mr. Stokes, and can you not do this upon my arrival in Chicago as I am anxious to get home to my babies in Denver?"

Supreme Court Justice Wasservogel dismissed the complaint in Stokes' suit for a divorce which a jury refused to grant him on a re-trial. The separation decree provides that Stokes should have access at all times to his children, who are to remain in the custody of their mother, where they were placed by a Denver court through an agreement by which Mrs. Stokes was formally granted a decree of separation.

Statements by opposing counsel made it clear that not only have the divorce and separation proceedings been ended but that Mrs. Stokes had released her claim for dower and that suits for slander and libel brought by her against her husband's son by his first marriage, have been dropped.

As to the criminal proceedings pending in Chicago they remain just where they were, in the hands of the prosecuting attorney of Cook county.

It was learned on good authority that a trust fund of \$800,000 had been created. The income is to be used for the maintenance of Mrs. Stokes and her two children. Upon her death, the principal is to go to her children.

Mrs. Stokes is to have no interest whatsoever in Mr. Stokes' estate in the event of his death. She has released her dower rights to all of Stokes' property, including 75 parcels in New York, the Patchen Wilkes breeding farm in Kentucky and property in Long Branch, N. J.

Mr. Stokes is not to appeal the divorce or separation issues, nor is either party to appeal from the terms agreed upon.

The agreement was signed last night.

Canned Tomatoes Fatal.
CUNNINGHAM, Colo., Nov. 22.—Two children are dead, a third is reported dying and the mother of the three is in a critical condition as a result, physicians said, of food poisoning in preserved tomatoes.

The mother, and the children had been ill since Monday, according to medical attendants.

PRESIDENT AND SENATOR BORAH DISCUSS TAXES

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WILL X-RAY KING TUT TO FIND SECRET OF GLAND TRANSFUSION

SEATTLE, Nov. 22.—An effort to complete the chain of scientific knowledge concerning the transfusion of glands thousands of years ago will be made by taking X-ray photographs of King Tutankhamun at Luxor, Egypt, declared Dr. J. R. Brinkley of Milford, Kas., noted American gland surgeon, before sailing today on the steamship President Jefferson for China and thence to Egypt.

"Since the glands of the human system are the last to suffer from decay after death it is highly probable that X-Ray photographs I hope to

take of King Tutankhamun will reveal some greatly desired scientific information regarding gland transfusion thousands of years ago," Dr. Brinkley stated. "Knowledge of the benefits of glands has increased so rapidly that we are able by examination of children's glands to determine those character weaknesses which later develop in men and women found in penitentiaries."

"All the children referred to except the imbecile, can be turned into normal paths of life by proper feeding of glands right from the stockyards."

SHIPMENT OF FILMS PROVES TO BE HARD LIQUOR; METRO OFFICER NABBED

LOS ANGELES, Nov. 22.—Gurgling noises coming from a packing case ostensibly containing only silent film dramas, which yesterday led to the arrest of Joseph W. Engle, senior vice president of the Metro Pictures corporation today found the echo in a federal investigation of asserted wholesale attempts to ship liquor from New York to Hollywood in preparation for Thanksgiving and the Christmas holidays.

Engle was arraigned before United States Commissioner Stephen G. Long yesterday on a charge of violating the national prohibition act after federal agents had found that a large packing case marked "films" and addressed to him contained many thousands of dollars worth of bonded liquor. He denied all knowledge of the shipment and was released on \$2000 bail.