

# CONFESSIONS IN BASSETT SLAYING HELD ADMISSIBLE

## Prison Companion of Accused Woman Gives Grim Recital of Dismemberment As Told Last Spring

SEATTLE, Dec. 8.—(AP)—Judge Chester Hatchelor ruled today confessions to the slaying and dismembering of James Eugene Bassett here 10 years ago, made by Mrs. Mary Eleanor Smith and Decastro Earl Mayer at the state prison last spring, were admissible as evidence in their first degree murder trial.

The court barred, however, from the jury testimony by State Patrol Sergeant Joseph McCauley, whose "clergyman ruse" in talking with the 75-year-old Mrs. Smith at the prison, had been criticized and bitterly contested by the defense.

The first ruling permits the jurors to hear testimony by Mrs. Millicent Fawcett, penitentiary inmate, and Warden J. M. McCauley of the prison, who were on the stand yesterday in the absence of the jury and told of the confessions of the two.

In barring Sergeant McCauley's testimony (he is no relation of the warden's) the court said the privilege law, which bars statements by accused persons to their physician, attorney or minister, was an "absolute one, without which no one would be safe in confiding in one's own doctor, minister or lawyer."

Sergeant McCauley, in the jury's absence, had said he purchased a clergyman's collar and shirt before going to the penitentiary and Mrs. Smith had called him "father" during their interview. He said his sole purpose in the interview was to learn where Bassett's body was buried.

Mrs. Smith and Decastro Earl Mayer, 44, are being tried on first degree murder charges in connection with the disappearance of Bassett, formerly of Annapolis, Md. Bassett's body never has been found.

Mrs. Fawcett Regal

While the jury was absent yesterday, Mrs. Fawcett, well-bred daughter of a Kansas City, Mo., life insurance executive, recounted how Mrs. Smith, in an adjoining room at the state prison, had told her of the Bassett slaying.

Appearing more like a dowager than a woman convict, Mrs. Fawcett, who gave her age as 48, used her tortoise-shell spectacles in the manner of a forger as she parried questions by the defense. She switched often from direct quotation of what she said Mrs. Smith told her, into a third person recital, and engaged in several verbal give-and-takes with defense counsel.

She said that after Mrs. Smith told her she and Mayer had killed Bassett, she detailed how the crime was committed. On the day of the slaying, Mrs. Fawcett quoted Mrs. Smith, Mayer told her to "get some water boiling on the stove and he'd bring Bassett out to the house." They talked about Mayer's contemplated purchase of Bassett's robin's egg blue sports roadster.

Mother Left Room

"Mr. Mayer had a hammer on the mantel," Mrs. Fawcett said Mrs. Smith told her. "He motioned to her mother to get out of the room and she did. But she heard him say: 'I'm going to have your car and I'm not going to pay you a so-and-so cent. I want you to write this telegram.'"

"As he took the telegram from Bassett he picked up the hammer and hit him on the back of the head. Mrs. Smith said she came into the room and said: 'Earl, he's gurgling. He's not dead yet. You'd better give him another whack.' So he gave him another whack—and he was dead."

"They put him in the bathtub and took off his clothing and got a galvanized pail and wash tub. Mrs. Smith assisted—she brought in the pail and wash tub while her son dismembered the body. They put the head and hands in the pail and the rest of the body in the tub."

She then said the pair took pieces of Bassett's body in gunny sacks and hid them in the woods north of Seattle. Mrs. Fawcett's story coincided with that of C. O. Schmidt

when she said Mrs. Smith told her the car was forced from the road and somebody in another car spoke to them.

Scalp Removed

"Mayor had also removed Bassett's scalp and they burned it in the stove with the clothes," Mrs. Fawcett continued. "They removed the teeth and Mrs. Smith said they scattered them along the road where they never could be found."

She said Mrs. Smith sat in the car while Mayer took parts of the body into the woods. She had the lights off but turned them on occasionally to let him know where she was. She said Mayer was wearing Bassett's overcoat.

"The head and hands still were in the pail in the car. The next morning they burned Bassett's B.V.D.'s in the fireplace."

This recalled testimony of Frank Du Cetto, retired detective who said he found burned underwear buttons in the "replaces of the 'little brown shoes' when the late declares the slaying was committed."

Mrs. Fawcett said she reported the confession to Mrs. Hope Nixdorff, former prison matron.

Other Murders Told

"From then on I listened to everything Mrs. Smith told me about all their other murders. She told me about the murder of Ole Larson and Dorothy LaCasse and Dave Randall . . ."

Larson and Mrs. LaCasse were slain in Montana, Randall in an abandoned Idaho quarry. Mrs. Smith's written confessions disclosed.

Mrs. Fawcett was called yesterday by defense counsel Warren Hardy, and prosecutor B. Gray Warner won an argument to have the records show Mrs. Fawcett must be regarded as a defense, rather than state witness, although the state subpoenaed her. Hardy said he regarded her as an adverse witness, however.

Questioning by Hardy brought out that Mrs. Fawcett has a brother she said was a Catholic father in Rome, Italy. She denied telling Mrs. Smith she could aid her through her acquaintance with different clerics. She also denied state patrolman Joe McCauley appeared in cleric's garb at the prison in eliciting information from Mrs. Smith.

2nd Fatality

PORTLAND, Dec. 8.—(AP)—Ed Holmes, 62, became Portland's 52nd traffic fatality of the year today when he died of injuries received Sunday. His automobile rammed an embankment near the approach of the St. Johns bridge.

Columbia Fogbound

ASTORIA, Ore., Dec. 8.—(AP)—Fog on the Columbia river hampered shipping and forced six boats to anchor in the stream today. The freighter Edda, unable to proceed upstream farther than Westport, has been tied up since early Wednesday.

# 10,000 SOLDIERS CONCENTRATED IN NORTHERN SPAIN

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later Joachim Von Ribbentrop left for Berlin after signing a no-war declaration with France, the political writer Pertinax wrote.

"Germany couples against the French empire at the very moment when she promises to respect her continental frontier."

Thousands of French students fought police in anti-Italian demonstrations in Paris and President Albert Lebrun unexpectedly called Premier Daladier for consultation.

Daladier's associates said he had started the life of his government on the national defense issue in drawing a line for today's new session of parliament. Labor protests against his decree laws for financial rehabilitation faded as an issue as a nationwide strike wave ebbed.

Tunisia in Turmoil

Demonstrations against Italy's campaign for French territory continued in Tunisia, France's northern African protectorate which has been the focal center of the strife. Officials, however, reported "everything quiet" on the border between Tunisia and Italian Libya.

Home newspapers coupled reports of an Italian protest against Tunis demonstrations with warnings Italians there "would take measures of legitimate defense."

At Lima, Peru, where the eighth Pan-American conference opens tomorrow, a proposal to ban European political propaganda was indicated.

A series of informal conferences between United States Secretary of State Cordell Hull, chief of the American delegation, and heads of Latin American groups, indicated the "good neighbor policy" was being given prime consideration.

Japan's agitation for extended fishing rights in Siberian waters under control of Soviet Russia and the U.S.'s demand for payments in connection with the sale of the Chinese Eastern Railway to Manchoukuo in 1935 brought out troubles between Moscow and Tokyo again to the fore.

Wasn't That Cold

BUTTE, Mont., (AP)—It was cold but not that cold, said Jack Duagan, assistant chief of police, as he saw two men wearing five overcoats down the street. After he had detained them at city jail, calls came in from people who had lost their overcoats.



### 'A POOR JOKE' was made by Mr. LaGuardia (above), declared the Angriff, Nazi Propaganda Minister Goebbels' newspaper, referring to Mayor LaGuardia's order creating a Jewish police squad to guard the German consulate in New York.

## Seven Miners Die In Slide of Rock

TRETFORD MINES, Que., Dec. 8.—(Canadian Press)—Seven miners were killed by a rock slide in the Bell sublevel mine here two hours after a dynamite blast last night. Three of the bodies have been recovered.

The men were 20 feet below the head of the shaft, clearing away debris of the blast, when the sudden slide occurred. Two men were injured.

One body was recovered last night, another about midnight and the third early today after workers from the Bell mine and two other plants worked for hours.

Wins Clemency

PORTLAND, Dec. 8.—(AP)—A prisoner's heroism in protecting police and spectators was rewarded today by a reduced sentence for burglary. Because Wilfred E. Penketh, 30, subdued a crazed man at the municipal court more than two months ago, Circuit Judge Louis F. Hewitt ordered him to serve a year in the county jail instead of sending him to the penitentiary.

# ICKES DELIVERED RADICAL ADDRESS WITNESS ASSERTS

(continued from page one)

mittee what he said were pamphlets illustrating policies of the union. He said they opposed the American Legion's suggestions for universal fingerprinting, the labor department's "raid on aliens," prohibitions against Communist party use of the public schools and the postoffice department's "sweeping censorship" of fraudulent or seditious literature.

A police official's assertion Harry Bridges, west coast C. I. O. director, was attempting to overthrow the United States government was accompanied today by fresh demands for his deportation.

"Silly," Says Bridges

Informed of the allegation, Bridges said in San Francisco it was "the silliest thing I ever heard." The charge was made by Chief of Detectives John J. Keegan of Portland, Ore., in testimony yesterday before the house committee on un-American activities.

"If this fellow Keegan or anyone else had even the slightest evidence of the things he accuses, they wouldn't waste five minutes in arresting me," Bridges declared.

Representative Thomas (R., N. J.) of the house committee and Stephen P. Chadwick, national commander of the American Legion, expressed dissatisfaction over the failure of the labor department to deport Bridges.

Deportation proceedings were instituted against the C. I. O. leader, a native of Australia, some time ago, but have been held in abeyance pending supreme court action on another case which Secretary Perkins has contended was parallel.

To Ask Impeachment

Thomas asserted unless Miss Perkins acted quickly in the Bridges case after the supreme court's decision, he would institute impeachment proceedings against her. Chairman Dies (D., Texas) of the committee also suggested recently Miss Perkins might be impeached because of her handling of the Bridges case.

The Veterans of Foreign Wars suggested an 11-point legislative program to eliminate "the danger from foreign 'isms'" in the United States.

Eugene I. Van Antwerp, commander-in-chief of the organization, outlined the program today.

He also said the organization is anxious for President Roosevelt and congress to adopt policies which

would keep America out of war.

"An effective, mechanized, motorized national defense with adequate trained reserves and equipment and material of all kinds, is, we believe, of the first importance in America's preparation against unwanted war, as well as for any such war as might come upon us," Van Antwerp said.

## Dozen Lives Lost On Jap Airliner

TOKYO, Dec. 8.—(AP)—Ten of the 12 persons aboard a Japanese airliner were given up for lost today after the plane had been forced down on shark-infested waters near Okinawa island, midway between Formosa and Kyushu, southernmost island of Japan proper.

The steamer Miyake Maru reported she had located the wreckage of the plane, rescued two survivors and found two bodies. Authorities announced later search for the other eight had been abandoned. Airplanes and ships had participated in the hunt.

Grocer Uncovered

PORTLAND, Dec. 8.—(AP)—Two years ago Otto Hennig, a grocer, shot and wounded a burglar. He didn't have a gun last night so he routed a robber with a meat cleaver. The stick-up man, who obtained \$10, was apparently wounded on the leg.

Pendleton Warm

PENDLETON, Ore., Dec. 8.—(AP)—Pendleton enjoyed the mildest December temperature since December 13, 1924, yesterday when the mercury climbed to 67 above. Last night's minimum was 32, even freezing. Warmest December day here in the last two decades was 75 above, registered December 12, 1921.

Open Tower Bids

PORTLAND, Ore., Dec. 8.—(AP)—A low bid of \$35,649 was submitted

## Beware Coughs That Hang On

No matter how many medicines you have tried for your common cough, chest cold, or bronchial irritation, you may get relief now with Creomulsion. Serious trouble may be brewing and you cannot afford to take a chance with any remedy less potent than Creomulsion, which goes right to the seat of the trouble and aids nature to soothe and heal the inflamed mucous membranes and to loosen and expel germladen phlegm.

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by the Lehigh Structural Steel company today for four steel towers to carry Bonneville dam cables across the Columbia river. Six bids were entered.

Luxurious Club

AMARILLO, Tex. (AP)—The new Potter county poor farm will have a golf course, a running stream filled with catfish and a haven for wild ducks. The county commission has authorized the purchase of the Hillcrest country club and all its improvements for use as a poor farm. None of the residents of the present farm

plays golf so the course will not be maintained.

Nail Floor Bull

GRATOT, Wis. (AP)—The metal diet preferred by John Hammer's Guernsey bull finally "got" the animal. It died. At the rendering plant it was discovered that a nail in the animal's stomach had pierced its heart. Other nails, staples and pieces of wire also were found.

Closing time for Too Late to Classify Ads is 1:30 p. m.

Use Mail Tribune Want Ads

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