

Teams Tied for First Place in Pacific League

SAN FRANCISCO, July 5. (U. P.)—Hollywood, Seattle and the San Francisco Seals were tied for leadership of the Pacific Coast League tonight.

The Seals and the fourth place Sacramento Senators lost their first contests of the second half of the split season, but Sacramento was pulled down in the percentage list because they have not played as many games as the others.

Oakland and Los Angeles broke into the win column for the first time since the new start was made. The Seals failed to prevent the Oaks from taking advantage of 12 hits, and Oakland ended the contest with an 11 to 7 victory.

The Los Angeles Angels showed no regard for the pitching ability of three Sacramento twirlers and hammered out 21 hits during the nine-inning contest. In the fifth period the Angels paraded around around the bases for a total of nine runs. The final score was 15 to 6 in favor of the Angels.

Seattle entered the dizzy height of top position for the first time since playing started last spring. After taking two victories in celebrating the fourth, the Indians continued their winning streak by noising out the San Francisco Missions, 2 to 1, in a 12-inning contest. The game developed into a pitching duel, with Holling of the Missions allowing only eight hits and Graham of Seattle handing out but seven.

Hollywood beat Portland, 4 to 3. The Beavers put up a good game but were defeated in the 11th inning after evening the score in the 10th.

Hickman Fails in Appeal to Court

(Continued from Page One)

supreme court today in holding constitutional the statutes under which Hickman was tried, Frank Sievers, one of the attorneys for the slayer, talked with Gerald Walsh, Kansas City attorney, by telephone and received the word that Mrs. Hickman asked them to carry on their battle.

Mentally Deceased
Mrs. Hickman reiterated belief that her son was mentally diseased when he committed the crime that stirred the nation, Walsh told the Los Angeles attorney.

As a result of that plea the case will be carried to the federal supreme court, Richard Cantillon, third attorney engaged in the fight to save Hickman from the noose, said today.

The United States supreme court will be asked for a writ of error, he said.

Writ of Error Asked
The application must be submitted within 60 days from today.

The appeal will be based on a plea that the California statute, under which Hickman pleaded "not guilty by reason of insanity," violates guarantees of the highest federal law.

"If we are able to show that a federal constitutional question was involved," Cantillon said, "the writ will be granted and the clerk of the state court will be ordered to forward all documents in the case of the state of California versus William Edward Hickman to Washington."

Date to Be Set
Following receipt of the documents, a date will be set for arguments.

The appeal to the California court, Cantillon pointed out, was the first in which the present state penal code has been tested as it applies to the sanity plea.

Won't Hang for 90 Days
Disregarding possibility of placing the fate of "The Fox" before the highest court, more than three months elapse before he may be hanged.

The decision of the supreme court today will not become final for 30 days, Judge Douglas Edwards of the superior court said.

The decision then will be placed in the mails and will probably arrive here about August 10, he said.

Immediately after receipt of the decision, sentence will be pronounced and then two months at least must elapse before he can be hanged.

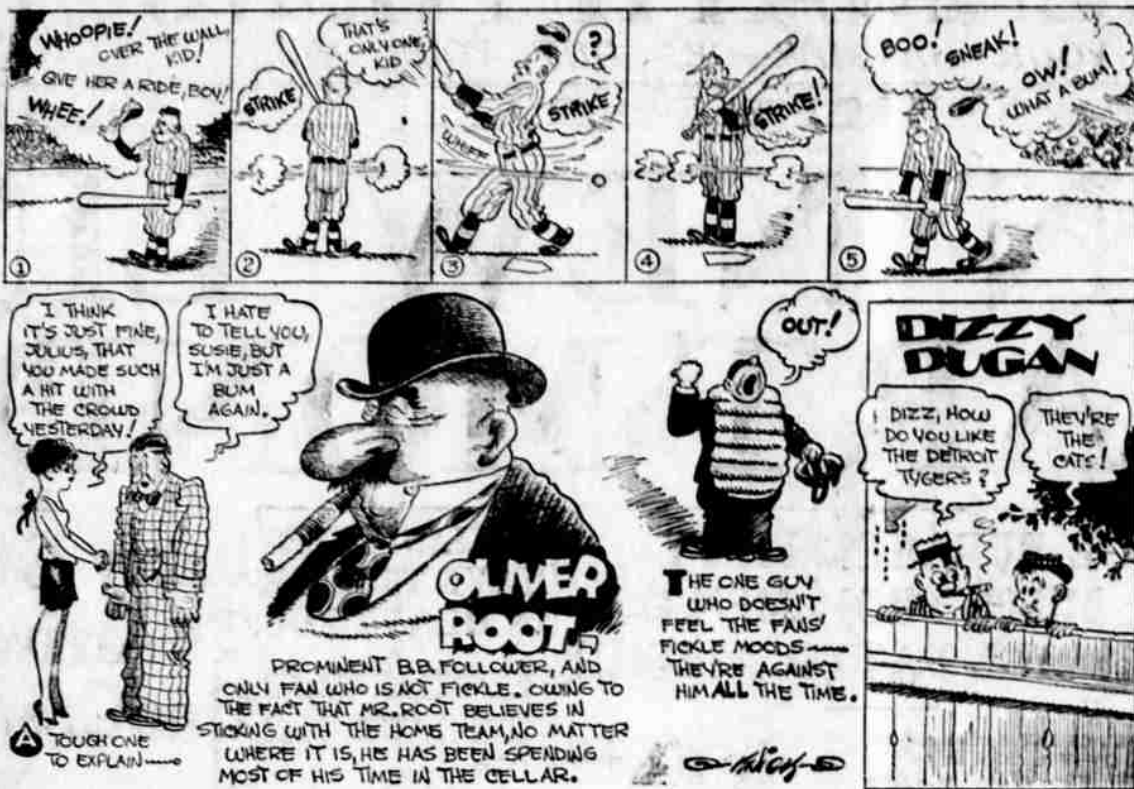
A single other possibility of saving the killer was in action of Governor C. C. Young.

Hanging Delayed
Hickman was originally sentenced to hang on April 27, but the appeal prevented it. Now he must be returned to Los Angeles, where a new date will be set for the execution. Officials of the prison estimated that his second sentence would be given some time in August and the hanging would not take place until November.

The opinion of the state's highest tribunal was handed down in San Francisco, near here. It was a unanimous decision, prepared by Chief Justice William H. Waste.

Waste stressed the fact that

THERE'S NOTHING SO FICKLE AS A BALL FAN



National Leagues Play but One Game

PHILADELPHIA, July 5. (U. P.)—George Earnshaw won his first game in six starts since he came to the Philadelphia Athletics recently, beating the Boston Red Sox today, 5 to 0.

Earnshaw narrowly missed a no-hit game. The Red Sox made only three hits off him, each of which was a muffed fly ball but scored as hits by the official scorer. Flanagan, Regan and Taft made the hits.

Sammy Hale, Athletics' third baseman, featured with two doubles and a triple in four trips.

No other games were played in the major leagues Thursday two games being rained out in the National League.

Rain Postpones Lightweight Go

NEW YORK, July 5. (U. P.)—The junior lightweight championship bout between Tod Morgan of Seattle, Wash., and Eddie (Cannonball) Martin of Brooklyn, scheduled for tonight at Ebbets' field, Brooklyn, was postponed to next Wednesday night because of rain.

Both fighters were inside the weight limit of 130 pounds when they weighed in this afternoon. Morgan weighed 129 1/2, Martin 129 1/2.

Morgan continues a 7 to 5 favorite to retain his title.

BAPTISTS MAY OPPOSE SMITH

KANSAS CITY, Mo., July 5. (U. P.)—Action against the candidacy of Gov. Alfred E. Smith may be taken by the Baptist Young People's union at its convention here, it was indicated tonight.

Although the name of the democratic presidential candidate may not be mentioned, the Young People's organization, representing a quarter of a million persons, probably will go on record opposing all candidates who are not thoroughly in sympathy with the prohibition law.

Such action may come at the conferences on "positive citizenship," which will be in charge of Dr. John W. Elliott of Philadelphia, director of social education of the American Baptist republican society. Although a native Virginian and a life-long democrat, he said he would devote much of his time in the interest of Herbert Hoover.

Hickman understood the law when he entered his plea.

Hickman had the opportunity to plead "not guilty" and "not guilty by reason of insanity." It was pointed out, but he chose to fight his case on the latter plea alone and was informed of the possible consequences by the trial judge, J. J. Traubner.

Pleads Voluntarily
"In the finding that the defendant was sane at the time he committed the crime of which he was accused he was in effect and actually guilty of that crime, and should be punished as the law directs," the first opinion on the new California statute said.

The defendant entered his plea voluntarily, and he was advised by the court of the nature of the penalty.

Thus one of the state's most notorious crimes drew near a close. Only two means were left for Hickman to escape the gallows and those were considered smaller than the one he just lost.

U. S. Olympic Team Held Badly Balanced by Writer

By FRANK GETTY

NEW YORK, July 5. (U. P.)—A badly balanced American Olympic team, strong in sprints and field events and woefully weak in distance running, will be named after the final tryouts at Cambridge Friday and Saturday.

The host of 300 athletes gathering at Harvard stadium for the final tests represents greater strength in the dashes and with the weights than this nation ever has mustered for an Olympiad. In the distance runs, despite the warning of four years ago, the United States has been unable to develop anyone of prominence, save in the marathon.

From the 1500 metres run up to the 10,000 metres run, the American Olympic team will include no athlete likely to win even a place at Amsterdam.

This much was apparent from the list of entrants presented tonight for the two-day test which precedes the selection of the athletes who will board the President Roosevelt next Wednesday.

As for the selections, the athletes themselves must win their places with speed of foot and strength of arm in the sixteen events on the final program.

The sprints, of course, will provide the most competition, and these are to be decided on Friday, contrary to custom. With room for but four men in each dash, it would not be surprising if the survivors were pushed to new records to keep ahead of the pack.

Charley Paddock, Jackson V. Scholz, Frank Hussey and the other Olympic veterans who survived the sectional tests and went to Cambridge, may find themselves elbowing right off the team.

Death of Wealthy Man Stirs Market

(Continued From Page One)

pilot landed about 8 p. m. on the sands at Dunkirk and reported the financier's disappearance when the plane was about five miles off the French coast. The airplane carried, besides a pilot and mechanic, a valet and two women secretaries.

Had Large Staff
Lowenstein usually traveled with a large staff of secretaries and assistants and often with a fleet of private airplanes.

Capt. Ronald Drew, pilot of the airplane, in an interview said:

"We crossed the channel at a height of four thousand feet. The body would have been completely shattered by a fall from such an altitude. It would be impossible to say just when he fell, but it probably was about five miles off the French coast. Due to the placement of seats, Lowenstein, after leaving the passenger compartment for his private room, was completely out of sight."

"After the valet found that Lowenstein was not in the machine, he wrote on a piece of paper the words 'captain gone' and held it against the glass partition separating the pilot's seat and the passenger compartment. I read it there. I thought the best thing to do was to land as soon as possible and make a search and inquiry for the body."

The staff in the airplane took his disappearance calmly. None showed any signs of excitement or fear, as might have been expected."

One of Lowenstein's secretaries

by some of the youngsters new to international fame.

Claude Bracey of Rice Institute, Texas, has been the most spectacular sprinter of spring, but what is more important, he has been a consistent winner. Consistency is a mighty important factor at the Olympic games, where a sprinter has to run through numerous heats before reaching the finals.

Simpson of Ohio State, Wildermuth, Georgetown, Wykoss, Glendale high school, and Henry Cummings of the Newark A. C. are newcomers who may hustle the veterans out of a trip to Amsterdam.

Given a break at the get-away, Lloyd Hahn of the Boston A. A. should set a new world's record in winning the 800 metres fly-outs. The temperamental Nebraska is quite capable of setting a new mark, if he is not interfered with as he was at Yankee stadium in the eastern sectional tests.

Other likely winners of places on the American Olympic team as a result of their efforts during the next two days are:

110 metre hurdles—Leighton Dye, Los Angeles A. C., and Werner of the Illinois A. C.

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Pole vault—Sabin Carr, Yale, and Lee Barnes, Southern California.

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Discus throw—Krenz, Stanford, and Houser, Los Angeles.

High jump—King, Stanford, Haggard, Texas U., and Abernathy, St. Xavier.

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Miss Lowenstein.
Shortly after this, investigation disclosed Lowenstein was missing. The airplane landed at Dunkirk, reported the affair, and went to St. Ingalvert, near Dunkirk.

The door was fastened by bolts from within.

The mystery of the disappearance was accentuated today by the statement of a Croyden air official familiar with the Fokker machine Lowenstein was using.

"In my opinion it was impossible to open the door and fall accidentally through it," he said.

Effect of Lowenstein's death on stock markets was attributed to his personality. He was the dominating figure in most of the interests in which he participated and his disappearance precipitated an uneasiness among shareholders.

Homerun Hitters

By United Press.
Thursday—None.

Leads.

Ruth, Yankees..... 31
Wilson, Cubs..... 19
Bottomley, Cards..... 18
Gehrig, Yankees..... 18
Bianchini, Robins..... 16
Hornsbury, Braves..... 14

League Totals
National..... 320
American..... 285

Season's total..... 605

BIG LEAGUES AT A GLANCE

AMERICAN LEAGUE

Boston..... 9 3 1
Philadelphia..... 5 8 3
Bradley, P. Simmons and Hofmann, Hoving; Earnshaw and Cochran.

No other games scheduled.

NATIONAL LEAGUE

All games postponed by rain and wet grounds.

Fourth of July Death Toll Ten

(Continued from Page One)

Oregon City—Norman Suenon, 20, drowned in the Molalla river.

Corvallis—Mrs. P. W. Foley, killed by auto.

Reedsport—Mrs. A. Yonkley and her five-year-old daughter, Pauline, drowned in Umpqua river when their car plunged off the road.

Ovation Planned For Pacific Aces

HONOLULU, T. H., July 5.

(U. P.)—An aerial Aloha will greet the two American members of the trans-Pacific airplane, Southern Cross, when they near the islands Friday morning and many festivities will follow before they leave here for the mainland in the afternoon.

Harry Lyon, navigator of the airship, and former resident of Honolulu, and James Warner, radio operator, are on board the Sierra and will transfer to the Molala here. Ten army airplanes will circle over the Sierra until it docks.

The aviators will be honored at a breakfast of the local chapter of the National Aeronautical association, and at noon will attend a community luncheon.

La Barba to Scrap Taylor August 7th

LOS ANGELES, July 5. (U. P.)

Fidel La Barba, retired undefeated flyweight champion, will fight Bud Taylor August 7, promoters announced today.

Fidel retired from the ring to enroll at Stanford university.

The bout was arranged by Jack Doyle, promoter, with Eddie Long, manager of Taylor, and George Blake, La Barba's manager.

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