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CHIEF FOUND GUILTY ON TWO COUNTS

DAUGHTERY TAKES STAND ON COURTS

Is Opposed to Addition of New Appeals Court in the Southwest

FOR ANOTHER JUDGE

Favors Appointment of District Judge for Eastern District of Oklahoma

HOLD COMMITTEE HEARING

Judicial Body of House Takes Up Bills Introduced Carrying Proposals

By R. N. TIMMONS, Staff Correspondent. WASHINGTON, July 22.—Attorney General Daugherty is opposed to the proposed creation of an additional circuit court of appeals circuit, to comprise the states of Oklahoma, Arkansas, Tennessee and the northern districts of Alabama and Mississippi, with judges holding court at Oklahoma City, Little Rock and Memphis. He is in favor, however, of the appointment of an additional United States district court judge for the eastern district of Oklahoma. This information was divulged at a hearing today before a subcommittee of the house judiciary committee on two bills introduced in the house by Representative Swank, democrat, of Oklahoma, carrying these proposals.

Vice President of Exchange National



NAME M'GRAW V. P. EXCHANGE BANK

Former Republican National Committee Chairman Takes Position Aug. 15

PONCA CITY OLD HOME

Rose From Groceryman to National Figure in Politics Since 1893

John J. McGraw of Ponca City was elected first vice president of the Exchange National bank of this city at a special meeting of the board of directors held Wednesday afternoon.

McGraw is widely known throughout Oklahoma, in which field he has been unusually active as a politician for the past few years.

Directors of the Exchange National bank of Ponca City, Oklahoma, are: J. J. McGraw, president; R. P. Brewer, vice president; and E. W. Sinclair, secretary.

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LOSE CONFESSION OF SOX PLOTTERS

Originals of Documents Signed by Players Have Vanished

CLIMAX IS DRAMATIC

State Fight to Have Statements Introduced as Evidence Gets Setback

SEND JURORS FROM COURT

Judge Will Hear All Evidence on Alleged Involuntary Confessions

CHICAGO, July 22.—Original copies of the grand jury confessions in which Eddie Cicotte, Joe Jackson and Claude Williams, White Sox players, declared they had been paid \$5,000 to \$10,000 to throw games in the 1919 world series, and the statements they signed waiving immunity, are missing, it became known today when the state began its fight to introduce the confessions as evidence in the baseball trial.

The announcement came as a dramatic denouement near the end of today's session of the state supreme court, which is hearing the case.

The state placed Hartley Replogle, former assistant state's attorney, who directed the first grand jury investigation of the baseball scandal, on the stand and revealed that it would have to depend on carbon copies of the confessions and on the testimony of men who heard them and who are said to have seen the immunity waivers signed.

The defense plans to contend that the confessions were made involuntarily.

Send Jury From Court. Judge Hugo Friend sent the jury from the courtroom and will hear all the evidence in the matter before deciding if it is admissible.

If he decides it is, it will have to be repeated before the grand jury. Indications are that Williams, Cicotte and Jackson will take the stand during this private hearing to testify that they were not coerced into signing the confessions.

Replogle testified that the originals of the confessions were made and offered for sale in Chicago some time ago.

Previous to beginning the fight over the confessions, the state attorney, Carl Zerk, now on trial as an instigator of the alleged sell-out, and Ben and Louis Levi of Kokomo, Ind., were indicted for abetting during the series.

Harry Redmond of East St. Louis, Ill., testified that Zerk during a conversation with him the day after the fourth game of the series, in which the alleged game throwing was discussed, said, "and I, the little red-head from St. Louis, started the whole thing."

Replogle's attorneys promptly announced they would prove an alibi for Zerk, saying he left for St. Louis at 9:20 p. m. that day, whereas Redmond said that Zerk was in Chicago from about 8 to 11 p. m. Redmond was vigorously cross-examined by the defense and called Attorney Henry Berger a liar when Berger declared he was a gambling bookmaker.

John O. Seys, Chicago National league club secretary, testified to holding bets made by Atell and the two Levis and that Atell warned him not to bet on Cincinnati in the third game as Chicago would win it. Seys' relations with the defendants apparently was acrimonial, he happened to be present when bets were made and being asked to hold stakes, it was said.

Replogle testified that the confessions were made voluntarily, that he saw the immunity waivers signed and that no one, to his knowledge, promised immunity to any of the men. He said Judge MacDonell had said something to Williams after the confession about a trial court probably taking into consideration the fact that he had voluntarily confessed.

Cross-Examined Replogle. D. P. Cassidy of Detroit, Cicotte's attorney, cross-examined Replogle, but the latter did not in any way alter his original testimony, and he came here about bond for Cicotte, didn't you and I talk about immunity for Cicotte, asking Cassidy, "but that was several months after the confessions."

"You remember a newspaper story appeared the next day that Cicotte had agreed to turn state's evidence for immunity?"

"I don't remember it."

"When you took me to Judge MacDonell and discussed immunity for Cicotte, didn't you tell me you assured Cicotte that he would be granted immunity if he came here when wanted and testified?"

"I don't know."

"I mean I did not say it any time anywhere."

"Is My Cake Dough?" Wrote Woman Sued for Divorce by Pawhuska Hubby to Dempsey

Special to the World. PAWUHUSKA, July 22.—Freckles are no stumbling block to true love according to Mrs. Helen Boulanger who is defending a divorce suit brought by Steve R. Boulanger, wealthy Osage Indian, in which Jack Dempsey, world's heavyweight boxing champion is named correspondent. Mrs. Boulanger admits that she wrote to Dempsey while still living under her husband's roof.

"Have Lots of Freckles." "The people argue to me that you have lots of freckles," Mrs. Boulanger wrote the champion. "If you have I don't remember you as having them. Maybe you looked so good to me that I never noticed them. Jack, I sure would like to see you before you go to Europe. I don't want you to give me away to my husband as I love him, but I'm not sure, but the day is coming. I waited to hear from you, and waited. I am just crazy to see you and I want you to answer this right away and tell me whether my cake is dough or not."

The case opened this afternoon before Judge Charles B. Wilson in district court. Boulanger charges in the suit that his wife carried on a "clandestine correspondence" with Dempsey. That she and Dempsey had been sweethearts before she ever met Boulanger is claimed by the defendant as her reason for writing the pugilist while still living with her husband's roof.

"I thought I was going far away and would never see my husband again," declared the young wife. "He was an old friend and I did not think that it was any harm to write him, knowing that I was going to leave my husband."

Mrs. Boulanger is 23 years old. She declares that she left Boulanger last February because of unfounded accusations against her of improper relations with other men.

Boulanger testified on the witness stand today that his wife first mentioned the name of Jack Dempsey to him one night after they had retired. He said that his wife remarked, after he had asked her if anything was wrong about your rights and you being in court, that she had said that she was writing to Dempsey while still living with her husband and she would tell him.

"The Time Had Come." Boulanger said he asked his wife if that time had come. "Jack Dempsey," he said she replied to his question "who is it?" "If you only knew how much I cared for you you would never hear that," continued the letter introduced as evidence today. "Listen, Jack, don't be afraid I will get you in bad, cause I'd die for you before I'd do anything like that. I think too much of you for that. Send me a little picture of yourself. Don't think I'm bawling cause when a fellow is in love they can't help it, can they?"

Lonesome Days. "I'll pass many a lonesome day from the day we were together. I can sure remember the feeling I had for you, but I never knew where you were and everything about you until after I was married. Then I went in to read about you in the papers and I found out that you were in Kansas. Boulanger today testified he thought this friend, a woman, had an undue influence over Mrs. Boulanger, but that his efforts to offset it had been unavailing.

GIVES OUT STORY OF RUSSIAN HOAX

U. S. Attorney Tells How Contracts Were Made for Big Supplies

450 MILLION TOTAL

Thousands of Dollars Spent by Business Men Entertaining Spurious Red Envoy

HAD EFFICIENCY CABINET

In Schallman's Offices in Chicago Where Contract Business Was Discussed

CHICAGO, July 22.—Further details of the manner in which Max Schallman, a Russian, distributed contracts for supplies for soviet Russia totaling more than \$450,000,000 were revealed today by Asst. U. S. Dist. Atty. Robert A. Milroy, and Jacob Spohnsky, of the department of justice, who arrested the Russian. "Thousands of dollars were spent by business men in several cities entertaining Schallman, the government agents assert."

A. J. Doyle, president of a local shoe company, told how he had obtained a \$35,000,000 contract for shoes from Schallman and sold it to shoe manufacturers in Boston, Huntington, Ind., and Milwaukee. So vast were the paper operations of the self-confessed agent of Lenin and Trotsky, Doyle told Mr. Milroy, that an "efficiency cabinet" was organized for the purpose of entertaining Schallman. The cabinet consisted of 100 men, of whom Doyle was one, and who were to be organized and furnished by another manufacturer who received another "contract." The purpose of the cabinet was to give the questions arising in the filling of such large orders.

Mr. Doyle told the government agents he spent \$3,500 entertaining Schallman and devoted eight months of his time, which he valued at \$1,500 a month, to the contract.

Samuel Schallman, son of Max, was in Chicago when Doyle entertained the father, he said, and on one occasion leaned over the dinner table to whisper confidentially "do you know my mother's a niece of Trotsky?"

On another occasion, Doyle said, the son whispered that "Trotsky is on the north side with father. He's been here for a long time."

Schallman also had dealings with the Packard Motor company of Detroit, Mr. Doyle said, according to Mr. Milroy, and his plans interested the officials of the company to such a degree, the assistant district attorney added, that they offered to send him a special limousine for his family use. This offer Schallman is said to have refused.

Doyle reported he furnished shoes worth \$125 to members of Schallman's family, while C. A. Grabner of the Erie Steam Shovel works, entertained the Schallmans from November 15, 1920, until Thanksgiving, and purchased clothing and accessories for the Schallmans.

The "efficiency cabinet" met in the building of the American Axle company on Michigan boulevard, where President McAvoy had furnished offices for Schallman, after receiving a large contract.

McAvoy was charged with affairs of the automobile department in the cabinet while Doyle looked after shoes and other business men devoted their attention to clothing, buttons and other things.

Schallman is said in jail, having failed to raise bonds following his arrest for violation of the espionage act in alleged false representation of himself as an agent of soviet Russia and conducting business for a foreign government without first registering with the secretary of state.

Burglar Was Particular. Particularism, coupled with plenty of nerve, characterized the burglary which was pulled off through the window of the Rosenberg store some time Friday morning.

From among an assortment of about 150 shirts, the robber picked out two which struck his fancy and fled. The police have no clue as to the person who committed the act.

BULLETIN

OKLAHOMA CITY, July 22.—Charges against Sheriff W. M. Cullough of Tulsa, who admitted on the witness stand during the trial of the witness stand during the trial of Chief John A. Gustafson that the sheriff sent the night of the riot," Freeling said. "It would seem that there may be something left that I must do."

VERDICT RETURNED AFTER SIX HOURS OF DELIBERATION

After six hours' deliberation the jury in district court before which John A. Gustafson, deputy chief of police, who has been on trial for the past two weeks, returned a verdict of guilty on the charge of failure to take proper precautions for the protection of life and property during the rioting here May 31 and June 1, and the verdict of guilty on a second count charging conspiracy to free automobile thieves and collect rewards, at 9:50 o'clock Friday night.

This action followed a request by the jury at 7:15 o'clock for added instructions from Judge Redmond S. Cole as to the conspiracy charge. The court instructed them that as a matter of law, the chief must have had knowledge of an unlawful act about to be engaged in by others, and had acted upon this knowledge in furthering the alleged conspiracy. Without this knowledge, the court said the defendant could not be found guilty of conspiracy.

The jurors, after receiving the interpretation of the conspiracy instructions from the court, returned to the jury room and continued to deliberate until the chief was in court.

CHIEF GUSTAFSON WAS IN COURTROOM. Gustafson, who was in the courtroom, unaccompanied by his attorneys, received the word "guilty" with the stoicism of an Indian but in his eyes was shown disappointment.

Gustafson told a World reporter that through his attorneys, A. F. Moss Leavenworth, he would immediately file a motion for a new trial. If that is overruled, he said he would appeal the case to the state supreme court.

POLICE HEAD DEPRIVED OF HIS OFFICE. While the conviction carries no criminal conviction with it, the chief is automatically ousted from office. In the case of a new trial being granted he would occupy the same position he did on the first trial. If the case is carried to the supreme court and the verdict reversed, although the possibility would not doubt by that time have expired, Gustafson would receive all pay as he had served the entire term.

"The jury voted a unanimous verdict on the riot count of the accusation, John D. Richards was foreman. He was also foreman of the jury which convicted C. O. Brady, police "under-cover" man, riot, arson and murder which followed.

She retold the story of Dan White who, after losing his car, searched the city for it, finally locating it in a local garage. She went into the testimony regarding the theft of the W. M. Rowles car to which the Ray Dickens confessed, Dickens' testimony, according to Mrs. Van Leaven, convicted the chief on the third count.

"The state has never contended that any law was violated after that trouble at the courthouse," she concluded. "After those armed negroes had started shooting, I killed a white man—then those who armed themselves for the obvious purpose of protecting their lives and property violated no law. The chief neglected to do his duty and the citizens after seeing their police fail took matters into their own hands. No, we don't contend they violated the law."

Leavy, 100 spectators were seated in the courtroom when the verdicts were read. A hush of intense expectancy spread over the room. No one stirred until after the verdict on the conspiracy count was read aloud by the court clerk about two minutes after the jury had taken its seats.

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STANLEY & MCNEE, Funeral Directors, 610 S. Boulder, Phone 1372-1369. Ambulance service—Advt.

Senate Again Considers the "Anti-Beer" Measure

WASHINGTON, July 22.—By a vote of 32 to 24, the senate resumed consideration of the Campbell-Williams "anti-beer" bill today. The senate's action was denounced by Senator Underwood, of Alabama, the Democratic minority leader, as an outrageous violation of legislative procedure because of the unanimous consent agreement by which the senate must vote on the "Maternity" bill, not later than 4 o'clock this afternoon.

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