

# BURCH MUST GO TO TRIAL ON A MURDER CHARGE

## And Says He Is Anxious to Do So After Sanity Hearing Is Refused—Quayle to Assert He's Insane.

BY FRED WOODWARD, Los Angeles, Nov. 8.—No evidence thus far has been presented in the superior court here to raise any legal doubt as to the sanity of either Arthur C. Burch, charged with the actual murder of Belton Kennedy or as to the sanity of the three attorneys who are defending him.

This was formally stated in the court room of Superior Judge Sidney N. Reeve early Monday night, when the judge refused to order Burch tried on a sanity charge before going to trial for murder.

"Are We Crazy?" Schenck Asks. As soon as the court ruled on the sanity motion, as it affected the defendant, Attorney Paul Schenck, chief counsel for Burch, formally asked the court to determine if Burch desired to "fire" his counsel as "lunatics."

"We ask this in all seriousness," Schenck stated. "Burch has been quoted in the press as declaring he is sane and that his attorneys are crazy. The court has ruled that the defendant is sane. Now if he desires to 'fire' his present attorneys as lunatics we wish to give him that chance."

Burch Wants to Retain 'Em. Burch was called before the judge and he stated he did not wish to dispose of his present counsel, Attorneys Schenck and Richard Kittrelle, of Los Angeles, and John J. Sullivan, of Seattle.

Attorney Schenck then filed four additional affidavits in which it was asserted that Burch is sane and that Burch, if he did slay Kennedy, was mentally unbalanced August 5, the date of the murder.

A continuance of the trial for 30 days in order that the defense might take depositions in Illinois, Kansas, Missouri and other eastern states to support the insanity plea, was requested.

District Attorney Woodwine asked for time to consider the affidavits, and the court, remarking that the session had lasted beyond adjournment time, continued the matter until 10 o'clock Tuesday morning.

Madalynne's Lawyers Take Action. At this point counsel for Mrs. Madalynne Obenchain, who were compelled to sit quietly in court practically all day while affidavits were read and contending attorneys argued on the motion to have Burch tried to test his sanity, offered affidavits.

These demanded for the fair prisoner an immediate trial on the murder indictment. Judge Reeve permitted Attorney Charles E. Erbstein, of Chicago, to file his affidavits, but he declined to act on them Monday night.

"We demand immediate trial today and do not waive any of the rights of the defendant, Madalynne Obenchain," Attorney Erbstein insisted.

But Judge Reeve held that the motions in the Burch case were of importance to the entire case, and continued the case until Tuesday morning.

Burch "Ticked to Death." Burch, as adjourned, expressed his keen satisfaction over the events of the day.

"I am tickled to death to go to trial on the indictment for murder rather than on trial for insanity," he declared.

"I have always contended I am sane and now, that I am vindicated, I am anxious to get into court and convince all I am not guilty of murder."

The reading of the many affidavits and the arguments of contending attorneys representing the two defendants took up practically all the time of the court session.

Two additional affidavits, supporting the insanity plea for Burch, were read by Attorney Schenck. These were sworn to by alienists who expressed their expert opinion Burch was mentally unbalanced.

Keys Counters With "Avalanche." Deputy District Attorney Asa Keyes countered with the "avalanche" of affidavits to combat the insanity plea in a droning voice. The assistant prosecutor read 24 affidavits sworn to by alienists, jail officials and news paper representatives and one even by the prisoner who shares a jail cell with Burch.

Dr. Louis Weber, prosecution alienist stated the belief in his deposition that Burch was feigning insanity. He declared the "pretended rage" of the defendant over the insanity plea made in his behalf was an attempt to "stimulate insanity."

But, on the other hand, another prosecution alienist, Dr. V. T. Calder had sworn that Burch's memory showed defects and that Burch had "a potential case of dementia praecox."

Quayle to Support Insanity Theory. While the preliminary skirmish of the attorneys was in progress it was learned that the Rev. W. A. Burch, of Evanston, Ill., father of the prisoner, had left for Chicago to obtain additional affidavits.

Mrs. Allie Quayle Burch, divorced wife of Burch; Bishop Quayle, her father; Mrs. Doram Burch, mother of the defendant, and a number of eastern alienists and experts in criminal law are to make depositions to support the insanity theory, it was announced in court.

LINCOLN GAS CASE ENDING. Lincoln, Neb., Nov. 8.—The Lincoln gas case apparently is near a settlement. Indications Monday evening were that the council will accept the final stipulation proposed by the gas company, of payment of rebates down to October 1, 1919, three months short of the date held by Federal Judge Wade to be the day of judgment. This concession, councilmen apparently are willing to make in order to place in the hands of the consumers something like \$400,000 representing overcharges and interest.

# BLUEBEARD GETS LOVE NOTES WHEN HIS TRIAL STARTS

## French Women Still Anxious To Marry Landru Though He's Charged with Murder Of 12 of Fair Sex.

BY C. F. BERTELLI, Special Cable Dispatch.

Paris, Nov. 8.—The psychological problem of "why do women love bad men?" was brought to the forefront in an extraordinary fashion Monday. It was revealed at the opening of the Landru trial at Versailles that this "modern Bluebeard," accused of the murder of 12 women, and their subsequent cremation, has received in the last few days no less than nine proposals of marriage besides scores of love letters and other missives expressing sympathy.

Women of High Social Standing. Many of the letters were apparently from women of high social standing. Psychologists were given further food for thought by an announcement that the ushers of the court have been literally besieged by fashionable women demanding the privileged seats to witness the trial, which, it is expected, will prove the most morbid in the whole amazing history of French crime.

Universal Service in common with other American news services, has received offers of services of many amateur female reporters, it having been reported that though curiosity seekers would not be admitted, the press of the entire world is sending representatives to "cover the trial."

How Does He "Conquer?" The question, "what is Landru's attraction for women?" is likely to be the supreme question at the trial, thousands of Frenchmen eagerly awaiting the revelation of the secret of the Bluebeard's extraordinary powers, in order to imitate his conquests.

"If Landru is innocent, he should be welcomed by a brass band and a procession of women garbed in white," was the telephone message I received Monday morning from Mile. Mistigue, the famous commedienne.

On the other hand, Mile. Spinely, rival of Mistigue replied to a telephone query by saying: "I do not know whether he is guilty or not, but he is certainly the world's most magnificent lover."

Tale of 50 Pounds of Bones. The evidence will show that Landru proposed marriage to at least 40 women. Thirty of them accepted him, although he only married one of them. At one time he is reputed to have smashed all Jekyll and Hyde records by keeping up seven different households simultaneously without being suspected by any of his "wives."

Landru's defender is the world's most famous criminal lawyer, Moro Giffery, who has launched a deft attack on the prosecutors to prove that the 50 pounds of bones discovered in his furnace at his Gambra villa are human bones. If this is not proved, he declares, his client must be acquitted.

PLAN FOR BONUS AGAIN IS KILLED

## After Bitter Partisan Debate, Senate, 29 to 42, Rejects Democratic Proposal to Tack Compensation.

Washington, Nov. 8.—After a bitter partisan debate, the Senate Monday rejected by a vote of 29 to 42 a second democratic proposal to tack the soldier bonus to the tax bill.

Republican senators who supported the amendment sponsored by Senators Simmons and Walsh, Massachusetts, were: Capper, Johnson, Kenyon, Ladd, LaFollette and Norris. Senator Meyers, Montana, was the only democrat opposing the proposal.

LODGE FIGHTS PROPOSALS TO COMPENSATE THE BOYS

Washington, Nov. 8.—Opposing the Simmons amendment to the tax bill to pay the soldiers a bonus for the foreign loans, Senator Lodge, of Massachusetts, the republican leader, told the Senate Monday that the status of the loans "is so uncertain that no one can tell when we will even get the interest." He added: "We cannot collect these great foreign credits by force, and nobody wants to go to war over them. To undertake to pay the soldiers bonus from them is to wrap the entire question of compensation in an atmosphere of uncertainty."

TREE BLOWN ON MAN WHILE HE DYNAMITES

Lewis, Ia., Nov. 8 (Special).—Ethan Allen was dynamiting trees to make room for a drainage ditch near Lewis. A tree was blown upon him and he was taken to an Atlantic hospital unconscious and may have been fatally injured.

TAFT AND DAUGHTERY ASK FOR MORE JUDGES

Washington, Nov. 8.—Chief Justice Taft and Attorney General Daugherty appeared before the House Judiciary committee Monday urging passage of legislation authorizing appointment of additional district judges in districts where court dockets are badly congested.

Under a House bill, Arizona, California, Colorado and Montana each get more additional judges.

# SUMMARY OF TAX BILL

(In Its Present Form It Will Raise \$3,250,000,000)

Universal Service. Washington, Nov. 8.—A summary of the pending revenue bill made Monday for Universal Service by treasury experts shows that the bill in its present form with all amendments acted upon to date, will raise for the current fiscal year ending July 1, 1922, the sum of \$3,250,000,000.

The amendments yet to be acted upon before the final vote is taken will not materially change this total figure.

Bill As It Passed House. The bill as it passed the House was estimated to produce the sum of \$3,240,000,000 so that the amendments agreed to by the Senate mean an increase of \$10,000,000.

For the succeeding fiscal year, ending July 1, 1923, the Senate bill as it now stands will raise \$2,725,000,000. Under existing revenue acts there would be raised in the current fiscal year the sum of \$4,600,000,000, and for the next fiscal year the sum of \$3,340,000,000.

The Senate bill, therefore, represents a cut of about \$600,000,000 as compared with existing law. But this reduction will not be felt until the next fiscal year, when the rates fixed in the pending bill will be in full operation. The House bill would have produced for the next fiscal year the sum of \$2,680,000,000.

Excess Profits Tax Repealed. In the Senate bill, the excess profits tax is repealed as of January 1, 1922, and the House bill repeals it of the same date. The capital stock tax was stricken from the bill by the Senate finance committee, but reinstated by vote of the Senate and the rates graduated upward.

The normal income tax for individuals is the same in both bills. It is 4 per cent. on incomes up to \$4,000 and 5 per cent. on the balance, with the exemption for heads of families fixed at \$2,500 with an additional exemption of \$400 for each child or other dependent.

The Senate bill fixed the surtax rates with a maximum of 50 per cent. above \$200,000. The House bill fixed the rate at 32 per cent. above \$66,000; the surtax begins at \$5,000 in the House bill and at \$6,000 in the Senate measure. The Senate fixes the corporation income tax at 15 per cent. instead of 10 per cent., as under existing law, beginning January 1, 1922; the rate in the House bill was 12 1/2 per cent. The 15 per cent. tax is calculated to raise for the next fiscal year \$670,000,000.

Inheritance Tax Rates Increased. The inheritance tax rates are increased above existing law by the Senate bill reaching a maximum of 50 per cent. on all inheritances above \$100,000,000. The rates were not changed by the House bill.

Premium taxes on domestic life insurance companies are eliminated by the Senate bill as well as most of the corporation taxes, the House having taken similar action.

Most of the so-called "nuisance" taxes have been eliminated by the Senate bill, including the tax on ice cream, chewing gum, soft drinks, sporting goods of all kinds and proprietary medicines. The taxes on tobacco remain the same, as under existing law.

The Senate imposed a tax of 60 cents a gallon on medicinal malt liquors, \$1.20 on medicinal wine and \$6.40 on medicinal spirits. These taxes were not included in the House bill.

Kenyon Amendment Defeated. Senator Kenyon, republican, of Iowa, offered an amendment to collect 15 per cent. of the value of tax exempt securities issued after the enactment of the law. It was defeated by a tie vote, 32 to 32.

Senator Trammel, democrat, of Florida, sought to obtain an appropriation of \$100,000 to pay the \$60 bonus to soldiers who failed to receive it at the time of their discharge. His amendment was defeated after Senator Warren, republican, of Wyoming, chairman of the appropriations committee, informed the Senate that such an appropriation will be carried in the deficiency bill.

Will Orangemen Spoil Peace Plan?

## Will Craig, Inclined to Settle, Be Strong Enough To Resist Their Revolt?

BY DENNIS O'CONNELL, London, Nov. 8.—Will Premier Craig be strong enough to resist the revolt in the Orange lodge which is threatening to wreck the Irish peace negotiations?

That is the question which is disturbing political circles in London. Reliable information Monday was to the effect that from the moment Premier Craig saw Premier Lloyd George on Saturday strong influences have been brought to bear upon him to break off the negotiations.

Ulsterites Able to Wreck. The situation in Irish affairs is such that the Ulsterites are able to wreck any settlement which may be arrived at between the British and the Sinn Feiners, as the British cabinet is pledged not to coerce Ulster.

Therefore if the Orangemen stand pat and refuse to budge one way or the other, the endeavors of Lloyd George and the Sinn Feiners to come to an understanding must fail.

But against the Orange revolt are all of Belfast's commercial interests. They are looking for a settlement as are also many people in high positions in court circles in London.

Craig Confers With Lloyd George. Will these influences be strong enough to counteract the Ulster die hards?

Premier Craig's position is difficult. Monday he had a long conversation with Lloyd George but no definite decision can be expected from him before he consults his cabinet. The cabinet members are expected in London any day. Craig is said to be reasonable and inclined to a settlement.

ART NEHF WORKING AS ELECTRICAL ENGINEER

New York, Nov. 8.—Art Nehf, star pitcher of the New York Giants, will not spend his winter months in idleness. Nehf is an electrical engineer, and already has made arrangements for a position with an Ohio concern at Sandusky. Nehf declares he does not care for much idling.

"I am not always going to be able to pitch baseball, and I want to train myself in some other line for the days when I am no longer able to play," said the Giant star.

Nehf lives at Washington, Ind. He is married and the father of two kiddies.

Some way should be found to keep the "lunatic fringe" from entangling itself in the coming conference on the limitation of armaments. There are sound and unsound methods of disarming, neither strident militarism nor object pacifism is capable of judging between them.

ARBUCKLE CASE CONTINUED WEEK

San Francisco, Nov. 8.—Roscoe ("Fatty") Arbuckle appeared before Superior Judge Louderback on Monday when the manslaughter charge, as a result of the death of Virginia Rappe, "the movie best dressed actress," was called.

# FARMER IS TAKEN FOR THIEF, KILLED

## Frank Trpkos, 25, Worries After Menesh Suicide, Thrown from Horse, Roams, Body Riddled.

Cedar Rapids, Ia., Nov. 8 (Special).

Investigation by the police and coroner of the death of Frank Trpkos, 25, farmer, who was found shot to death in the yard of James Elkers' farm home late Sunday night, developed the suicide of Emil Benesh, cashier of the Citizens' State Bank of Cedar Rapids, was indirectly responsible for the Trpkos tragedy.

Trpkos recently bought a farm from Benesh and when he learned of the suicide he rode to his brother's home to consult him as to steps to take to protect his own interests. He left for home shortly before midnight and the theory is that his horse threw him in front of the Elkers home and that he wandered into the chicken yard, and the Elkers' thinking he was a thief, "turned their shotguns loose" on him. His body was literally riddled by bullets.

Elkers, 75, and Son "Quizzed." James Elkers, who is 75, and his son were subjected to a stiff cross examination by the police and sheriff Monday afternoon but stuck to their story of how they came to shoot the man, contending they thought he was a thief.

The Citizens' Bank was found to be in good condition when State Bank Examiner West completed his investigation Monday afternoon, and the institution will be permitted to reopen Thursday with a cashier in charge.

Benesh's funeral will be held Wednesday afternoon.

Benesh Left \$50,000 to Wife. He left life insurance of \$50,000 to his wife, it was reported Monday.

Friends of the late banker still cling to the story that financial losses were the cause of the suicide. Benesh was said to have made a lot of money on purchases and sales of farms and then, when the slump in farm values came, to have lost his entire fortune.

He was alone with Mrs. Mary Cervinka, teller of the bank, in his office Sunday morning when he fired a shotgun into his mouth twice, blowing his brains out.

# DETROIT ROSES SHOWER FOR FOCH

## Great Throgs Greet Great French General as He Kisses Little Girls in Red, White and Blue.

Detroit, Nov. 8.—Marshal Foch was welcomed to Detroit Monday with a shower of roses and thunderous cheers.

Great throgs were massed about the Michigan Central station when the leader of the allied armies stepped from the train and as the neat little figure in horizon blue appeared in the entrance a mighty roar greeted him that was silenced only when the military and police bands struck up the national anthems of France and the United States.

Then, advancing over the rose strewn path toward the awaiting automobiles, the marshal gave evidence of his inner character when he held up the line of marching dignitaries to stoop and kiss on either cheek a little girl in a dress of red, white and blue who stepped forward to offer him a bunch of flowers.

The marshal then entered an automobile and was driven along a route filled with cheering throngs to the city hall, where he was welcomed by Mayor Couzens and Governor Groesbeck.

# SAITO MAY SUCCEED HARA AS PREMIER

## Assistant Stationmaster Is Held for Part in Assassination.

Tokio, Nov. 8.—It was reliably reported here Monday night that Admiral Minoru Saito, governor general of Korea since 1919, is now strongly favored for the appointment as premier to succeed the late Takashi Hara. Considerable influence is operating in his behalf, it is said.

Marquis Salonji, who was regarded as the most probable successor to Hara, apparently has the task of forming a new cabinet.

Thousands attended the public funeral given the dead premier Monday by the Sen-Kai party of which he was leader.

The body was to leave at 10 o'clock Monday night on a special train for Premier Hara's home in northern Japan—little city of Morioka—where simple ceremonies will mark the burial.

The city is draped in mourning in honor of the late premier.

Eigoro Hashimoto, assistant station master at the Otaka railway station, where the premier was assassinated, has been arrested, charged with complicity in the crime.

TRIMBLE PLEADS GUILTY. Lincoln, Neb., Nov. 8.—Darius Trimble, who by his own admissions, slugged Lee Carroll an attempted to make away with the Liberty theater receipts Saturday night, pleaded guilty before Justice of the Peace Stevens, Monday evening to a charge of grand larceny. Lee Carroll, doorman at the theater, implicated by Trimble in his confession, pleaded not guilty to a like charge.

Both defendants were bound over to the district court and remanded to the jail in lieu of \$2,500 bonds.

# BRIAND MEETS A GREAT WELCOME IN WASHINGTON

## Hughes and Pershing Greet French Delegation as City Cheers—Hopes for Parley Success Are Exchanged.

BY WINDER R. HARRIS, Washington, Nov. 8.—A stocky man of somewhat less than average height stepped off a special train at the Union Station a few minutes after 5 o'clock Monday evening and wrung Secretary of State Hughes' outstretched hand for fully half a minute.

Their faces wreathed in smiles as the hearty handshaking continued. They exchanged the strong hopes welling in the breast of each for the complete success of the worldwide undertaking in which they are destined by fate to play leading roles.

It Was Artists Briand. Dusk, a five hours' ride from New York had given a brownish tint to the traveler's black overcoat and derby, from under which his dark grayish hair brushed out over his ears and neck.

His heavy mustache of the same nondescript color as his hair, drooped over the corners of his mouth and in his broad, thick shoulders there was an inclination to stoop, eloquently bespeaking the tremendous burdens of his own native land he bears in its great task of after war.

It was Artistic Briand, prime minister and minister of foreign affairs of the republic of France.

Breathing an spirit of the highest optimism and bringing the first sparkle of humor into the heavy, solemn atmosphere that has hung over the previous conference preliminaries, he arrived in Washington to tender the aid of his government and people in easing the world's burden of armaments.

Viviani and Sarraut with Him. With him were Rene Viviani, former premier, who will act as Premier Briand's deputy chief of the French delegation, and Albert Sarraut, minister of the colonies, making up the "Big Three" from the sister republic. Mr. Viviani was accompanied by Madame Viviani.

The French delegation also included a large staff of military, naval, political, economic and commercial experts and advisers, secretaries and others making up the advisory commission and clerical staff.

The second person in the receiving party to greet the distinguished visitors was Madame Jusserand, wife of the French ambassador to the United States. Ambassador Jusserand had accompanied Third Assistant Secretary of State Bliss to New York to welcome Premier Briand's party and escort them to the capital.

Pershing and Coontz There. With Secretary Hughes in the receiving line were General Pershing and Brigadier General Brewster and Admiral Coontz, with their staffs, representing the army and navy, and a group from the French embassy.

One of the cheeriest greetings exchanged between General Pershing and General Buat, French chief of the general staff, who had met on the battlefields of France when General Pershing headed the American expeditionary force and General Buat was Marshal Petain's chief of staff.

"Well, Hello!" Pershing Cries. "Well, hello!" with emphasis on the "lo," General Pershing cried as he spied the French hero.

The visitor's equally cordial salutation was not heard in the exchange of greetings. Then, after the round of greeting, General Pershing grasped his former comrade by the arm and they swung into line behind the secretary of state and the French premier in the march through the station.

Arriving at the east end of the station, Premier Briand stopped to admire the steam giant and then called down the engineer, fireman and engine man from the cab and shook hands with them, while an aide interpreted his hearty thanks for a speedy and safe trip.

Big Cheers for Briand. The applause of several hundred people welcomed the French delegation as they crossed the concourse into the president's room and another waited outside on the plaza. A mighty shout went up as Premier Briand and Secretary Hughes, closely followed by the rest of the procession, emerged from the president's room and came to halt for the "movies" and newspaper camera men.

The premier snapped into attention, his derby held firmly, over his left breast as the Fort Myer Cavalry band struck up the Marseillaise followed by the Star Spangled Banner.

In French Party. The musical feature of the welcoming ceremonies over the visitors and reception party climbed into a score of army automobiles, and escorted by a battalion of cavalry with drawn sabres, were whisked to the New Willard hotel where the entire seventh floor has been reserved.

Besides the "Big Three" the French delegation included 26 members, including various legal, naval and military experts and interpreters.

# SNOW IN NORTHWEST

St. Paul, Minn., Nov. 8.—A heavy snow, melting as it struck the pavement, fell here Monday. Reports from many sections of the state and from North Dakota indicated that the fall is general over this section.

# DR. STUTENROTH DIES FROM CAR WRECK INJURY

Aberdeen, S. D., Nov. 8 (Special).—Dr. L. P. Stutenroth, one of the three victims of the automobile accident near Mellette Sunday morning, died Sunday night as a result of a compound fracture of the skull. He never regained consciousness.

Glenn Martin was killed and Henry Steller painfully bruised. The men had left Aberdeen on a hunting trip. Martin was driving.