

## Young Billy Conn Fights Way to Top Notch

Decision Over Fred Apostoli at New York May Open Way to Future Heavyweight Match.

By HARRY FERGUSON  
NEW YORK, Jan. 7 (UP)—They gave us one out of the story books in the smoke and noise of Madison Square Garden last night, and we're passing it along today to prove that things sometimes turn out just like Horatio Alger said they would.

Every story has its here so here's young Billy Conn of Pittsburgh, a gangling boy who may be eating himself into a match with Joe Louis, a relicking, honest Irishman who scorns the odds fate lays against success, a guy who grins when he's hurt and who comes out in the end—the winner!

He came out that way last night against Fred Apostoli after 10 bruising rounds and even though no boxing title was at stake, it's been a long time since the wise, tough fight crowd in the garden has come to its feet, screaming like foghorns, slapping strangers on the back and yelling "the kid did it, the kid did it."

Get the picture, Apostoli, recognized as middleweight champion in New York state, was a 13 to 5 favorite. He punches hard with both hands. He's crafty. He knows all the tricks of gouging and butting. He's getting the big cut of the gate. He's confident, a little contemptuous. He's out to do a quick job.

And over in the other corner is Billy Conn. He's 21 years old and still growing. Even if he wins—and people laugh when they think about it—he can't claim the middleweight title because he's more than seven pounds over the limit. His legs are thin and his shoulders are narrow. He's white and gangling, six feet tall and too thin to stand up under the billing and beating that Apostoli can hand out. They say he can't punch. He's making his first appearance in the big time. Why, he doesn't even wear a mouthpiece and, brother, when Apostoli clouts him on the chin, Conn's going to find he has bitten off his own tongue.

So there they are and it's the old, old story. David against Goliath, the Greeks at Thermopylae, Horatius on the bridge and all the rest of history's short-enders who stood up against the odds and beat them.

The bell clangs in a sad sort of way—almost a dirge for Billy Conn. Apostoli rushes out, cocks his dynamite right and slams Billy just over the left eye. The knees that hold the thin legs up buckle for a moment and Billy reels into his own corner. Then like lightning in a summer sky, there goes Billy's left—stab, stab, stab into Apostoli's scowl.

There were about 10,200 persons in the garden and Billy won 10,000 of them in those few seconds. He won the ladies because he has a Hollywood profile and curly hair and for the rest of the fight you could hear Centralo and alto voices pleading through the roar—"kill him, Billy, kill him." He won old-time boxers because they liked the way his left landed on Apostoli's face before Fred could get in a counter punch.

It would be nice to say that Billy won every round, but he didn't. He knew he was in for a tough fight because Apostoli kept crowding and slugging, driving him back to the ropes and making him spit red streams on the white canvas. But the kid hung on and pop-pop-pop went his story book left and the points piled up. So they came to the 10th and last round and it was so close that this one was going to pay-off.

Apostoli knows it and he comes out slugging. Then Billy drops his fancy stuff, plants his heel firmly, sticks out his Irish chin and slugs it out. The bell rings but they don't ear it and who could in all that yelling.

Then the announced collected the judges' votes, steps to the microphone and—"the winner, Conn."

It hurt your ears the way they yelled, but through it all you could hear a red-faced gent in the fifth row shouting "I lost 50 bucks and am I glad."

Conn weighs 167½. In a couple of years he probably will pick up 10 or 15 pounds and then he will be a full-fledged heavyweight. And if Joe Louis is looking for somebody to fight in 1941—Well, take it away, Mr. Alger.

### MORE SPANISH BOMBING

MADRID, Spain, Jan. 7 (UP)—A Heinkel (German) seaplane dropped 15 incendiary bombs on Ganadia today, damaging a wharf and destroying oranges awaiting export, loyalist authorities said.

## CHRONOLOGY OF MOONEY CASE

By United Press

July 22, 1916—Ten killed, 40 hurt, when bomb exploded at Steuart and Market streets in San Francisco, during Preparedness Day parade.

July 23, 1916—Warren K. Billings, Edward Nolan and Israel Weinberg were arrested, and it became known that Thomas Mooney was sought.

July 27, 1916—Tom and Rena Mooney arrested. Indictments followed against the five.

Sept. 11, 1916—Billings tried and convicted. Sentenced to life. Nolan stayed in jail nine months; released on bail; charges dismissed. He was suspected of having made the bomb. Weinberg, who was supposed to have driven Tom and Rena Mooney and Billings to the place where the bomb exploded, was acquitted and released.

Jan. 1, 1917—Mooney trial.

Feb. 9, 1917—Mooney convicted; sentenced to hang May 17. The case was appealed.

April 23, 1917—Judge Franklin Griffin, who heard the evidence in Mooney's case, wrote State Attorney General U. S. Webb, asking him to petition the State Supreme Court for a new trial for Mooney. Webb did so.

May 11, 1917—President Wilson asked Gov. Stephens to postpone date of execution. This was found necessary because of pending appeal action and the date was reset for Aug. 23, 1918.

June 11, 1917—Rena Mooney went on trial for murder; acquitted, but held in jail for trial on second indictment; released on \$15,000 bail after 22 months in jail. Charges later dismissed.

Sept. 11, 1917—State Supreme Court denied Webb's motion for a new trial.

Sept. 25, 1917—President Wilson sent a federal commission, headed by Secretary of Labor William W. Wilson, to San Francisco to investigate the case.

Jan. 18, 1918—Wilson commission report unanimously favored new trial for Mooney.

Jan. 22, 1918—President Wilson wrote Gov. Stephens asking that Mooney be granted a new trial. The governor took no action.

March 26, 1918—President Wilson again asked Gov. Stephens to grant Mooney a new trial.

June 5, 1918—The President repeated his request. Nothing was done about it, however.

Aug. 23, 1918—Date set for Mooney's death, which again had been postponed and set for Dec. 13, 1918.

Nov. 1, 1918—J. B. Densmore, director-general of the Federal Employment Service, who had been directed by the Secretary of Labor to conduct another investigation of the Mooney case, made his report.

Nov. 18, 1918—U. S. Supreme Court, without comment, refused to review the Mooney case.

Nov. 28, 1918—Governor Stephens commuted Mooney's sentence to life imprisonment.

April, 1921—Byron Parker, an attorney, attempted to re-open the case by filing a writ of audita querela. The Superior Court refused to allow the new trial, and the case was pending in the Appellate court when Mooney asked that it be withdrawn.

Dec. 1, 1930—California Supreme Court denied Mooney's pardon plea.

March 3, 1931—Mooney filed another pardon application. James J. Walker, then Mayor of New York, entered the case.

Nov. 24, 1931—James J. Walker arrived in San Francisco to plead for Mooney and Billings.

April 21, 1932—Gov. James Rolph denied pardon.

May 22, 1933—Mooney went on trial on second murder indictment in Preparedness Day bombing.

May 24, 1933—Court directed jury to return verdict of guilty.

May 7, 1934—Mooney applied for writ of habeas corpus in Federal District Court of Northern California.

May 17, 1934—Judge A. F. St. Sure denied writ.

Jan. 21, 1935—U. S. Supreme Court in unanimous decision, refused to accept jurisdiction of the case.

April 12, 1935—Judge Edward I. Butler denied writ.

April 29, 1935—Writ of habeas corpus sought in District Court of Appeals.

May 14, 1935—Writ denied.

May 20, 1935—Petition for writ taken to California Supreme Court. June 17, 1935—Petition granted.

Sept. 24, 1935—Mooney and Billings reunited for first time in 19 years at writ hearing before Supreme Court.

Oct. 14, 1935—U. S. Supreme Court declined to interfere in case.

Oct. 28, 1935—U. S. Supreme Court again declined to enter case.

March 10, 1937—California assembly adopted resolution to pardon Mooney.

March 17, 1937—California Senate defeated pardon resolution.

March 19, 1938—Mooney makes unprecedented appearance before California Legislature.

March 11, 1938—Capt. Charles Goff of San Francisco Police Department offers rebuttal testimony before Legislature. Assembly approves pardon resolution.

March 12, 1938—Pardon resolution defeated in State Senate.

Oct. 19, 1938—U. S. Supreme Court denies writ of certiorari to review case.

Nov. 1, 1938—Culbert Olson, campaigning for Governor, declared he believed Mooney innocent and intimated that, if elected, he would be receptive to granting pardon.

Dec. 5, 1938—U. S. Supreme Court refuses to accept original petition of habeas corpus.

Dec. 12, 1938—U. S. Supreme Court reiterates refusal to review the Mooney case.

Jan. 2, 1939—Culbert Olson becomes Governor of California, giving renewed hope of early pardon for Mooney.

Jan. 5, 1939—Mathew Brady, San Francisco district attorney, announced he would not oppose pardon for Mooney at hearing before Governor Olson Saturday.

Jan. 6, 1939—Brother of one of those killed in Preparedness Day bombing announced he would seek impeachment of Governor Olson if Mooney granted executive pardon.

Jan. 7, 1939—Governor Olson conducted official hearing in state assembly chamber and announces decision that Mooney be freed at once.

## To Hold Open Meeting on Frankfurter Nominat'n

Senate Judiciary Subcommittee to Take Up Matter of Approval of Nomination Tuesday.

WASHINGTON, Jan. 7 (UP)—A senate judiciary subcommittee voted today to hold an open hearing Tuesday on the nomination of Professor Felix Frankfurter to the supreme court.

Frankfurter will be "invited" to appear at the hearing, Senator Pat McCarran, D. Nev., a member of the committee said.

Committee Chairman, Matthew M. Neely, D. W. Va., said he would telegraph Frankfurter that the committee "would be glad" to hear his views.

"I have received about half a dozen requests for hearings," Neely said. "Any person who has any relevant evidence to submit will be heard."

McCarran, who was an opponent of President Roosevelt's supreme court reorganization plan said that Frankfurter "in all probability" would be asked for his opinion about that.

During the court controversy, several attempts were made to have Frankfurter appear before congressional committees considering the bill, but he remained silent except to deny, in a letter to a London newspaper

that he was the author of the measure. All members of the subcommittee were present at today's meeting.

They were Neely, McCarran, Tom Connally, D. Texas; William H. King, D. Utah; George W. Norris, Ind.; Nebr.; William H. Borah, R., Idaho; Charles L. McNary, R., Ore.; Warren R. Austin, R., Vermont; and James H. Hughes, D., Del.

Norris said he had received several telegrams, one from the Massachusetts Women's Constitutional League, protesting the Frankfurter nomination and requesting hearings.

### FATHER OF RATH TESTIFIES

PARIS, Jan. 7 (UP)—The father and brother of Ernest Von Rath, German embassy secretary whose assassination caused the drastic anti-Jewish campaign in Nazi Germany, testified before an examining magistrate today.

The father affirmed that he intended to be a civil party to the prosecution of Herschel Grynszpan, the Jewish youth who shot Rath.

Addressing the judge, the father expressed indignation at reports of differences between himself and Adolf Hitler, and reports that he had been sent to a concentration camp.

"My presence denies such rumors," he said.

Case county has no bonded indebtedness, as, like the state, we have paid cash for our hard surfaced roads and other improvements as we went.

## Tom Mooney is Freed After a Long Battle

Struggle of Convicted Labor Leader for Freedom Had Become International—Olson Pardons.

SACRAMENTO, Calif., Jan. 7 (UP)—Thomas J. Mooney was pardoned today by Governor Culbert Olson of California as the climax to a 22 year freedom fight that became international in scope and attracted world wide attention as "America's Dreyfus case."

"I am convinced," Olson said to a packed throng in the state assembly chamber, with Mooney occupying the spotlight on the rostrum, "that Mooney is innocent, that he was convicted on perjured testimony and is entitled to pardon."

"Let anyone here who objects to a pardon step forward and present new evidence if they have it."

No one responded.

"I hereby," the governor announced, "grant full pardon to Thomas J. Mooney."

Olson attributed blame for San Francisco's 1936 Preparedness Day bombing outrage—the crime for which Mooney was sentenced to hang and then commuted to life imprisonment—to "possible bombing activities on the part of Mexicans."

The governor said there was much Mexican resentment at the time because American troops were then in Mexico in pursuit of Francisco Villa. Mooney was overcome at Olson's words.

"I hardly know how to express my gratitude for this vindication," he said.

Clad in a new prison-made "going out" suit, Mooney struggled for self-control. By Mooney's side was his wife, Rena Herman Mooney who waited for him during the years he was in prison, who played a leading part in the fight for his freedom and who turned over to his cause every spare cent she earned as a music teacher.

"I am so happy, Tom," she whispered.

Her eyes were red from weeping. Mooney insisted throughout the years he was "framed" because of his union activities.

The prosecution charged he was an anarchist.

Also with Mooney at the hearing were his sister, Anna Mooney; his attorney and a host of friends including labor leaders from A. F. of L., CIO and railroad brotherhoods.

All of them met Mooney earlier today when he left San Quentin for the last time and rode in triumph with him to Sacramento. The hearing was called for Mooney's opponents to show cause why he should not be pardoned.

"The month of June 1916," Governor Olson said, "had ended with a bomb explosion and it was a fuse bomb in a suitcase, left in a railroad train by three Mexicans."

The Preparedness Day blast occurred July 2, 1916. Ten victims were killed and 40 were injured.

Near the end of his speech, Olson asked Mooney to stand up. Olson solemnly and slowly concluded the statement with the words, "I now hand you your pardon."

Olson sat down quickly, signed the official papers and Mooney was surrounded by a madly cheering crowd.

Mooney stepped to the rostrum and shook hands with the governor as he received the pardon. He posed with Olson for pictures.

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## Joe Arridy Dies in Colorado Prison Today

Prisoner With Mentality of Six Year Old Placed in Gas House to Suffer Penalty.

CANON CITY, Colo., Jan. 7 (UP)—Warden Roy Best clomped heavily along the steel floor corridor to the cell where a strapping young man was playing with an electric train, and, unlocking the door, said: "Come along, Joe. It's time."

"It's time for me to go to heaven?" asked the young man, looking up brightly from his play.

"That's right."

The young man jumped up eagerly grinning. He was naked except for a pair of shorts and socks and his powerful, young body glistened under the bright bulbs.

"You'll want to tell the boy's goodbye," said the warden as they walked down the corridor.

"Oh yes," said the young man, still grinning. His eyes sparkled. Obviously, he was anticipating an exciting and novel journey.

The warden took him in the corridors or on which were the cells containing the other condemned prisoners and the young man said goodbye to them all, telling them he was going to heaven.

"What are you going to do up there Joe, raise chickens?" the Warden asked.

"No," said the young man gleefully. "I'm going to let Angelo do that. I'm going to play a harp, just like Father Albert says."

Angelo Agnes, a negro murderer laughed his appreciation of this joke. During the weary months in the death house, he had been kidded a great deal about his fondness for fowl. The young man was fond of Agnes and of the other condemned, but he told them goodbye happily, knowing he would soon meet them again in the marvelous city where he was going where the gates were pearl, the streets paved with gold, and honey and milk flowed in the gutters.

The warden, Father Albert, the prison chaplain, and several guards took him down to the execution chamber and strapped him in the chair. He grinned all the time. He seemed hardly able to wait. But, at the critical moment, the creak under the chair broke when they began pouring sulphuric acid into it, and he had to be unstrapped and taken out of the chair while another creak was brought in.

But it didn't matter. He was blindfolded and Father Albert continued reciting, "Hail Mary," to which the young man responded happily. He had learned the response painfully over weeks. Finally, all was ready again, he was put back in the chair, Warden Best patted his hand, saying "goodbye, Joe," and the door was closed on him.

While 50 witnesses watched through windows, cyanide pellets were dropped into the acid and the resultant gas rose around the helpless man in the chair and choked out his life.

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### NO CHECK, CHANGE NAMES

AKRON, O., Jan. 6 (UP)—John Ehmg petitioned probate court today to have his son's name changed from Franklin Delano to Lincoln Franklin and his daughter's name from Eleanor Elizabeth to Jessie Elizabeth.

Ehmg said that he had failed to receive his December 24 WPA check before Christmas and that the proposed new names were the first names of two Akron philanthropists who had saved him and his family from a bleak Christmas.

## Sec'y Wallace Gives Out Corn Allotments

Total of 41,239,659 Acres in Twelve States—Nebraska Has 6,876,354 Acres in 64 Counties.

WASHINGTON, Jan. 5 (UP)—Secretary of Agriculture Wallace today announced 1939 corn acreage allotments totaling 41,239,659 acres in 12 states.

He increased the number of counties on the commercial corn area by 20 to 586 and the allotments by 744,122 acres. The 1938 allotment for 566 counties was 40,495,537 acres.

The national goal remained unchanged at 94,000,000 to 97,000,000 acres. Acreage allotments were made only for the commercial area.

Wallace said that commercial area growers who comply with acreage allotments will receive benefit payments of from 14 to 15c a bushel compared with 10c in 1938 and the normal yield of their allotment and will be eligible for corn loans next fall.

Allotments by states included: Iowa, 9,274,903 acres in 99 counties; Missouri, 3,301,517 acres in 63 counties; Nebraska, 6,876,354 acres in 64 counties and Kansas, 1,983,137 acres in 25 counties.

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## Old Age Insurance Enters Third Year of Existence

More Than 42,000,000 Workers Over the Nation Have Applied for Old Age Accounts.

As the federal old-age insurance system enters the third year of its existence, more than 42 million workers have applied for old-age insurance accounts and have become potential beneficiaries under the program, according to Leo W. Smith, manager of the Lincoln, Nebraska, office of the Social Security Board.

More than 293,940 of these workers are residents of Nebraska, Mr. Smith said.

In summarizing progress since the old-age insurance law went into effect, Mr. Smith stated that on January 1, 1937, only 17,000,000 account number applications had been received. At the close of the first year of operation on December 31, 1937, account numbers had been assigned to more than 35,700,000 persons. During 1938 applicants for account numbers have averaged nearly half a million a month.

The board's offices in Nebraska, located at Omaha, Lincoln, and North Platte, are issuing more than 3,000 account numbers each month, Mr. Smith declared.

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### DIZZY DEAN SIGNS

CHICAGO, Jan. 5 (UP)—Dizzy Dean heard today that his arm was o.k. and shortly afterward signed his 1939 contract with the Chicago Cubs at a reported salary of \$20,000.

Doctors reported that new X-ray examinations of the shoulder ailment that nearly blighted Dean's pitching career showed that a muscle tear was healing "very satisfactorily" and that Dean should be able to take his regular turn on the mound when the season starts.

Dean himself was elated by the news that his arm was responding satisfactorily and by terms of his contract.

"I'm not only satisfied with my contract," Dean said, "I'm over-satisfied. I never felt better in my life and my only hope is that I can go out and win 20 or 25 ball games next season."

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### FRIDAY'S BASKETBALL RESULTS

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Nebraska Colleges  
Peru Teachers 40, Doane 32.  
Wayne 39, Wesleyan 35.  
Kearney 34, York 32.  
Nebraska B 40, Midland 36.  
Scottsbluff Jr. 37, 76th F. A. 22.

Nebraska High Schools  
Creighton 17, Fremont 13.  
Lincoln 26, South 24.  
Benson 19, North 18.  
Abraham Lincoln 31, Tech 26.  
Sioux City Central 38, Central 36.  
Arlington 23, Nebraska Deaf 16.  
Plattsmouth 60, Hamburg, Ia. 28.  
Jackson 26, Columbus 13.  
Fairbury 22, Beatrice 20.  
Falls City 37, Nebraska City 13.  
Friend 17, Wilber 11.  
York 27, Hastings 18.  
West Point 17, Pilger 16.  
Tekamah 30, Herman 15.  
Scottsbluff 36, Morrill 12.  
Gothenburg 24, Lexington 21.  
Kearney 23, Ord 12.  
McCook 41, Cambridge 13.  
Max 22, McDonald, Kans. 14.  
Manhattan, Kans. 45, Wymore 33.  
Peru Prep 20, Auburn 19.  
Blair 41, Decatur 23.

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### COCK KILLS MAN

LIMA, Peru, Jan. 5 (UP)—A message from the district of Santiago, Province of Ica, asserted today that a cock had mortally wounded a sportsman named Quintanilla by piercing Quintanilla's heart with the sharp blade attached to its left leg.

The cock attacked Quintanilla, the message reported, after he had pulled out its feathers and otherwise angered it in preparation for a fight in the cock pit.

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### DEATH OF GOOSE, 45

WAUKON, Ia., Jan. 6 (UP)—The Otto Sanders family, farmers living near here, today mourned the death of a goose 45 years old.

Mrs. Sanders raised the fowl from a gosling. It continued to lay until it was 37 years old. After that it would build a nest each spring, roll a stone into it and remain there until removed.

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### SAM FRANCIS TO WED

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