

Nebraska—Partly overcast; not much change in temperature.

CITY EDITION

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MONDAY, MARCH 30, 1925.

TWO CENTS in Omaha and Council Bluffs Five Cents Elsewhere.

The true work of art is but a shadow of the divine perfection.—Michael Angelo.

Ellingson Girl Insane, Says Expert

No Compromise in Sight, However, Upon Plea of Guilt Which Would Halt Trial of Slayer.

Attorneys Cannot Agree

San Francisco, March 29.—Counsel for both sides indicated today that the trial of 16-year-old Dorothy Ellingson, charged with the murder of her mother, would proceed tomorrow, though persons in close touch with the case saw a strong possibility that the defense would present a formal motion to end the trial, and empanel a new jury to determine whether the girl is insane at present.

Dr. Fred P. Clark, superintendent of the state hospital for the insane at Stockton, has issued a statement saying he considers the girl now insane, basing his judgment on close observation of her behavior in the court room.

It was understood that other psychiatrists, subpoenaed by the defense, were examining the girl at the county jail today.

No Formal Report. Sylvester J. McAtee, of defense counsel, said he had not yet had formal reports on the girl's condition and could not predict whether the trial would be interrupted. He pointed out, however, that the defense in outlining its case to prospective jurors last week, had emphasized a contention that Ellingson was insane at the time of the alleged act. Her present condition, if it is brought into the case, will involve a new issue, it was explained.

Attorneys for both sides said they knew of no further conferences to discuss a compromise, as had been widely rumored since Friday.

Must Plead Murder. District Attorney Matthew Brady said the prosecution had gone as far as it could in offering inducements for a plea that might end the spectacle of a hysterical child going through the ordeal of a public trial. But he explained that second degree murder was the least the state could accept as a plea of guilty.

"If she will plead to such a charge," he added, "we don't care what she pleads to. The jury can send her to the penitentiary or commit her to some curative institution, in its discretion. And I don't believe any other district attorney would go as far. If such an offer had been made in the Leopold-Loeb case the defense would have jumped at it, and could not accept a plea of manslaughter in a crime which the juvenile court has determined was murder. The defense has shown no inclination to plead to anything more serious than manslaughter."

No Compromise in Sight. McAtee said he saw little chance of a compromise between the prosecution and the defense. The defense attorney explained that he was not in a position to say whether Judge Lenderbach of the county court would be asked to enter a plea of insanity. Dorothy Ellingson, according to a confession the state plans to introduce against her, shot and killed her mother in the bedroom of their home last January 13, after a quarrel over the girl's night life.

A jury of nine men and three women was sworn on Friday. In the absence of any arresting motion, the actual trial will begin tomorrow with opening statements.

WOMAN AND BABY SLAIN WITH GUN

Los Angeles, March 29.—Mrs. Irene Conway Hickey, 24, and her 2-year-old son, James, Jr., were shot to death here today. Police are holding the woman's husband, Patrolman James J. Hickey of the Los Angeles police department, on a murder charge.

The alleged slayer is suffering from two gunshot wounds, one in the chest and one in the arm. He is said to have resisted arrest. His condition is not serious.

His version of the tragedy was that the killings grew out of a domestic quarrel and that his wife did the shooting after he was wounded in a scuffle for the gun. After the shooting, Hickey told police he tried to help himself, but was prevented by a defective cartridge.

Hiram Johnson and His Family Visit Havana

Havana, March 29.—United States Senator Hiram Johnson of California, accompanied by his wife and their son, arrived here yesterday on the yacht Kenah. They will remain here several days before proceeding for San Francisco by way of Jamaica and the Panama canal.

We Have With Us Today

Charles Larew Mead, Bishop, Methodist Episcopal Church, Denver, Colo.

"Pooh, Pooh," Scoffs Col. Dennistoun, as Actress Threatens New Trouble

Lois Meredith, American Beauty, Claims to Have Spicy Letters From "Tiger Boy"; He "Knew It Was Coming."

By ROBERT J. PREW, Universal Service Staff Correspondent. London, March 29.—Col. Ian Dennistoun, through his lawyers, today pooh-poohed the breach of promise suit threatened by Dudley Field Malone on behalf of Lois Meredith, the American actress. That this is the girl, however, from whom the colonel was "expecting trouble" when he decided to contest his former wife's suit, in order, as he expressed it, "to forestall future blackmailers," now seems thoroughly well established.

The colonel flatly declined to discuss his new troubles, but apparently was unconcerned, even when it was called to his attention that Mr. Malone claimed to have letters in the colonel's handwriting, which not only make professions of love for Miss Meredith, but referred in derisive terms to countess Carnarvon, the colonel's present wife.

Colonel Dennistoun's lawyers admitted that they knew such developments were in the wind, but said

that no importance should be attached to them.

Miss Dorothy Dennistoun, the colonel's former wife, was very much interested in the new development, which she apparently expected. But under advice from her lawyers, she declined to make any comment, though she admitted knowing the new woman in the case.

The identity of Mr. Malone's client has been a matter of speculation throughout London that it is an item of major social importance over there. According to Mr. Malone's contention, Colonel Dennistoun had promised to marry his American divorcee as soon as he could obtain a divorce from Mrs. Dorothy Dennistoun. This promise, it will be charged, was supported by many reassurances of devotion, both of word and act.

During the course of the love suit which has just terminated, the colonel admitted having been involved with an American woman in Paris, but the name was never made public.

Leaders Predict Stable Business for Rest of Year

National Business Survey Forecasts Lower Prices and Stationary Wages—No Boom Expected.

New York, March 29.—A business survey by the national industrial conference board made public today states that a "stable, sound and even flow of business" for the rest of the year is forecast in opinions given by industrial leaders and estimated in the light of business conditions during the last five years.

During the remainder of 1925, the report says, business will probably be conducted under conditions of rising interest rates for loans, with a tendency toward lower prices in some industries and generally stationary wages.

Steadiness Best. "While there is no expectation of a boom," the report says, "this is considered an advantage rather than otherwise, a steadier movement of business being felt to be conducive to sane and dependable conditions."

Sounder business conditions, the report says, have been brought about by the following achievements of the last five years: more stable employment in relation to changes in production; greater conservatism in expanding production in relation to price changes; shortening of the line of distribution from manufacturer to consumer, and greater dependability of transportation service.

Steel Is Weak. While good business is predicted for the railroads and in the electrical, automobile, coal and lumber industries, the steel industry is judged "a little weak," the woolen industry has experienced a "distinct setback," and the agricultural situation is felt to be dangerous.

According to the report one prominent executive feels that the long continued depression of farm product prices indicates "something fundamentally wrong" which will eventually be felt by industry. Industrialists are urged to "take a constructive interest in the situation, because of its possible political as well as economic consequences."

HAUGEN'S DOCTORS FEAR OPERATION

Washington, March 29.—The condition of Representative Haugen, republican, Iowa, chairman of the house agriculture committee, who has been a patient at Emergency hospital here for more than a week, has shown but little change in the last few days, it was said today at his office.

Mr. Haugen, who is ill with bladder trouble, is expected to be operated upon early next week. Physicians had hoped to perform the operation this week, but decided to postpone it until next week as they believed by that time his condition will have improved.

Aerial Photographers May Be Lost in Everglades

Sabring, Fla., March 29.—Fear that Capt. R. A. Smith and E. P. Lott, aerial photographers of New York, were lost in the everglades was expressed here today when no word had been received from them since they left Saturday morning for one day's trip.

The two left for the purpose of making photographs for drainage maps and expected to return Saturday night. Though both men were experienced fliers, serious concern was expressed for their safety should they be forced to make a landing in the everglades.

Preparations Made for Tacna-Arica Plebiscite

Lima, Peru, March 28.—The department of foreign affairs issued a public call today to all the natives of Tacna-Arica, to register in the department promptly in preparation for the proposed plebiscite to determine the status of Tacna-Arica. There is no decision yet concerning who would be appointed Peruvian delegate on the plebiscite commission.

Ruse Employed by Bandits Holding Up Express Agent

Present Forged Note to Gain Admission to Car on Lake Shore Train, Then Flash Guns.

Chicago, March 29.—No trace had been found today of bandits who early this morning robbed a Lake Shore train express messenger of between \$50,000 and \$100,000. The train, No. 28, Chicago to Buffalo, stopped at Englewood, a Chicago suburb, when two men presented Howard Young, express messenger, with a letter.

The letter bore the signature of an official of the express company and instructed the messenger to get into a motor car in the train. They proved to be bandits.

It was all very simple, according to Young. Here is his story: "As we pulled in at the Englewood station, two men came to the car and handed me a letter, purporting to have been signed by F. M. Hotchkiss, Englewood express agent. I had no reason to doubt it was not genuine. The letter instructed me to let the men ride in my car to La Porte, Ind."

"I told them to climb aboard and make themselves comfortable. They sat around for a time, making themselves agreeable. We had been out of Englewood station but a few minutes and I was standing with my back to them when they both yelled: 'Hands up!'

"I turned quickly and found myself looking into their guns. They tied me and dumped me over in a corner. When we reached La Porte they jumped out."

The bandits took with them two bags of silver coins, a quantity of currency and other valuables that they had carefully selected as they rode from Englewood to La Porte. Express officials were unable to say what the loss would be but estimated it at between \$50,000 and \$100,000.

At La Porte, the authorities learned, the bandits were met by four men in an automobile. It was believed they returned to Chicago.

Associated Oil Company Buys Developed Oil Tract

Bakersfield, Cal., March 29.—The Associated Oil company made public an announcement here today that it had purchased 150 acres of fully developed oil lands near Taft for \$220,000. In making the purchase the Associated Oil company obtained not only all the interests of the owners but deeds and bills of sale from the companies who had leases on the land.

The land was bought from the Producers Oil company of Fresno. It had been operated under lease by London interests. There are 27 oil wells on the land.

Spurge Bud Worm Kills 40 Per Cent of Main Trees

Amherst, Mass., March 29.—Forty per cent of Maine's spruce and fir forests, approximately 20,000,000 cords, has been destroyed by the spruce bud worm since 1919, Henry B. Pierson, forest entomologist of the state, said in a report to the northeastern forest experiment station here, made public today. The report said that the loss of timber by fires during that period was far less than the damage caused by the insects.

Italian Deputies Will Take Easter Recess

Rome, March 29.—The chamber of deputies will begin its Easter recess next Saturday. This was decided today at a conference between Premier Mussolini and Signor Casarotta, president of the chamber. The session will be resumed May 11.

150 Dead in Battle

Tokyo, March 28.—Dispatches here today from Seoul stated 150 had been killed in a battle between Russian soldiers and Chinese troops at Tonkin, China. The fighting followed an attempt of the Russians to loot and burn the Chinese town, it was said.

as in Search Den for Rondout Mail Booty

Candidates of Socialists, Clericals and Democrats Offer Stern Resistance to Bourgeoisie.

Ludendorff Far Behind

By THE ASSOCIATED PRESS. Berlin, March 29.—At midnight, with more than 10,000,000 votes counted in the presidential election, the standing of the candidates was roughly: Jares, 4,000,000; Braun, 3,000,000; Marx, 1,000,000; Thealman, 1,000,000; Hellpach, 250,000; Held, 400,000; Ludendorff, 150,000.

Berlin, March 29.—With the returns from one-fifth of the 68,000 voting precincts in hand at 11 tonight, it is evident that three liberal parties—the socialists, centerists or clericals and democrats—are offering stern resistance to the national bourgeoisie, and that Otto Braun, the socialist candidate, is making a strong run for the office of president in Germany's first popular presidential election.

General Ludendorff is cutting a sorry figure in the returns, while Dr. Held, the Bavarian premier, has failed to develop in his own state the strength expected of his own candidacy.

The returns show Dr. Jares, candidate of the nationalist and conservative bourgeois, and Otto Braun, socialist, running neck and neck with Dr. Marx, former chancellor and centerist as runner-up. General Ludendorff is slipping behind, even in Munich, where he polled only 7,300 votes as compared with Braun's 36,400; Jares, 38,100; and Held, 21,500.

Former Kaiser Gets Vote. Four and a half million votes are divided as follows: Jares, 1,609,000; Braun, 1,265,000; Marx, 650,000; Hellpach, 256,000; Thealman, 335,000; Held, 209,000; Ludendorff, 47,000.

The republican coalition therefore on these figures, has a majority of about three-quarters of a million over the nationalist bloc.

In the small village of Voburg, votes were cast for former German Emperor William.

POINCARÉ WARNS AGAINST GERMANY

Bar de Duce, France, March 29.—Raymond Poincaré, former president of France, in a speech here today pictured what he termed was the danger of accepting Germany's proposed security pact. He spoke at the dedication of a monument to the war dead of his native town.

He described the horrors of the last German invasion and said France should not be asked "to relinquish or diminish its own means of protection in the face of a Germany that is not disarmed, nor should it be asked to exchange them for the appearances of guarantees or a mirage of security."

M. Poincaré said the life of France was at stake. He asked what was the use of having Germany renew its signature to the agreement not to attack France, which already was in the treaty of Versailles. It would add nothing to France's position and might, if it bore only upon a part of the treaty, be equivalent to disposal of the other peace terms.

"If it should happen some day that, after apparently guaranteeing our frontiers," M. Poincaré continued, "the reich, with or without soviet Russia, should renew the splitting up of Poland and then should incorporate with Germany, it would quickly have regained the hegemony of central Europe and it would remain only for it to take the third step and turn finally against France to accomplish, for the second time, the movement that resulted in tearing away our two provinces and the establishment of German empire. It is at the first step that the allies ought to stop this march if they do not wish to prepare for Europe a future as tragic as the past."

Teacher of Law Plans Long Lecture Tour

Chicago, March 29.—Dean John H. Wigmore, of the Northwestern university school of law, known for his work on "Evidence," will deliver a series of lectures in western and southwestern cities on "The World's Legal System," beginning April 2 at New Orleans.

Facsimiles of the world's oldest will, promissory note, and of manuscript of the oldest legal codes and documents in existence will be shown. Included in his itinerary are Denver, Colo., Los Angeles, San Francisco, Portland, Ore., Seattle, Wash., Omaha, Neb., and Austin, Tex.

Brakeman Fatally Hurt When Falls Beneath Train

Scottsbluff, Neb., March 28.—E. W. Bresler, brakeman on the Burlington railroad, fell from a box car in the railroad yards Thursday evening and received injuries from which he died.

It is thought that a coupling failed to catch properly and caused the cars to jerk unexpectedly, throwing Bresler from the top of the last car to the rails. The car passed over him, crushing and breaking both his arms and legs.

Submarine Hits Rock

Washington, March 28.—The submarine S-44, running in a heavy fog, struck a rock in Narragansett bay last night, but sustained only slight damage, according to advice received at the navy department today.

Search Den for Rondout Mail Booty

Cash Totalling \$36,000 Stolen in Illinois Robbery, Sought in Rattlesnake-Infested Cavern Upon Tip.

One Officer Driven Away

By Universal Service. San Antonio, Tex., March 29.—Far beneath the earth's surface in a rattlesnake infested cavern, \$36,000 of the \$2,000,000 Rondout (Ill.) mail robbery is secreted in a cave northwest of San Antonio, Texas, county officers were secretly tipped today.

Lee Johnson, special investigator out of the district attorney's office, is preparing to go to the hidden cave in the hills, equipped to probe its secrets. The expedition will not start before Monday.

An attempt was made a few days after the confession in court of the trial in Chicago to locate \$40,000 of the mail loot here, when a witness stated that that amount had been hidden by one of the men, a Texan, along the Fredericksburg road.

Several officers went a few miles out of the city and searched but found nothing but another officer, who refused to allow Johnson to tell his name, got an inside tip of a cave many miles further out, and he went to this place, while officers were hunting nearer the city.

After a long search for the mouth of the cave is almost hidden from view, he came to it. Before entering he looked about. Then suddenly a cold chill ran down his spine, for he saw in the brush, the mouths of Winchester's hound dogs.

He stooped to pick up his pack and with heart beating wildly he sauntered away as if he had seen nothing. He was not molested and once out came back to San Antonio, saying nothing of the incident for fear of his life, until the present time.

One of the men now in the Illinois penitentiary in connection with the Rondout mail robbery came to San Antonio after the holdup. He said to have brought \$49,000 with him, \$4,000 of which was spent. The rest was reported to have been cached.

The mail train was stopped a few miles out of Chicago and the money and cash, including the ransom, and the express messenger unconscious. One of the bandits was shot by a member of his own party by mistake, which eventually led to the arrest of the gang.

James Newton of Del Rio, now in the Illinois penitentiary, was arrested near San Antonio and given a hearing in federal court before being taken to Chicago.

Dr. Edwards was arrested a few hours after following preliminary inquiry by police and state officers who announced they believed it an "inside job." The physician never at any time deviated in any essential particular from his original story to New Orleans.

The state charged that he murdered his wife and constructed physical evidence to divert suspicion. The defense adhered to the physician's original story, claiming that Dr. Edwards was the victim of some circumstances and over-zealous neighbors and officers. No motive had been proved by the state, the defense held.

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Chesterton Hits Out at Divorce Scandals

Family Disintegrating. Brilliant Critic's Comment on Dennistoun Case—W. L. George Finds Solace in Spicy Stories of Ancient History.

Are the morals of the British upperclasses degenerating? Inspired by a succession of scandals which have been dragged through the English courts Robert J. Prew, London staff correspondent of Universal Service, has asked the opinion of Gilbert K. Chesterton, prominent essayist and critic and of W. L. George, equally famous as a novelist.

Chesterton draws a picture of gloom. The family is disintegrating, he declares. George on the other hand finds the present situation no more alarming than a number of others recorded in history. The present scandals would scarcely have caused a ripple 100 years ago, he insists.

By GILBERT K. CHESTERTON. The modern degeneration of morals and disregard of social laws is due to the increasing disintegration of the family, mostly, I regret to say, among the upper and middle classes.

Divorce is not now a fashion or even a fad. It is a habit—a frivolous, facile way of evading responsibility.

People have broken away from marriage because they no longer see divorce as a precipice but as a gentle slope down which they can slide comfortably without unpleasant jars to the conscience.

The English woman nowadays has some such formula or excuse as "I'm arranging a divorce with my husband so I can marry a man who will keep me in greater luxury. I am after all, not going as far as that American woman who divorced her husband because he made a noise with his soup."

I have always had vastly more sympathy with the business of free love than with the business of divorce. The man who practiced free love at least stood by his principles and took the consequences.

The chief thing about divorce is its snobbishness and cowardice. It is snobbishness of people who want all the conveniences of background with all the advantages of respectability.

The dissolution of social morals began long before the divorce law. It was the growth of political corruption, for instance, and the hypocrisy of the Victorian age. People forget that cleverness used in an anti-social cause is worse than stupidity. Man began worshipping the smart, cynical business man or the pure, cranky vegetarian, but neither, probably, and the result of which, examples are far too numerous.

The result is the moral degeneration which now fills our courts and our newspapers with its stench. Men change their family ties as if they were neckties and women discard their husbands as they discard their hats.

SPEED PLANES FOR RACES ORDERED

Washington, March 29.—A joint army-navy program for participation in the Pulitzer and Schneider trophies classes this year, announced today, includes the procurement of three speed planes, one to be allotted to the army, one to the navy and the third to be held in reserve for emergency need of either.

Unofficial arrangements have been made with the Curtiss company, Long Island, N. Y., to proceed with work on the three planes. The company also will partially build a fourth machine, which will be constructed first for test purposes. It will incorporate all essential frame work and other features of the planes which will actually be used in the races, and tests will be made with it to determine the capabilities of those to be used in the racing events.

The Pulitzer races are expected to take place early in October and the Schneider event, in which the two services will defend the cup they now hold against foreign challengers, during the latter part of that month. The course for the two meets have not been selected.

Separatist Leader of Germans Dies at Metz

Metz, Alsace-Lorraine, March 29.—Joseph Smetts, German separatist leader, died here in retirement and was quietly buried Friday with no show of that display which might have been had his plans succeeded.

Smetts was shot and seriously wounded at Cologne on March 17, 1923, and his secretary was killed. He was long in recovering from this attack and left Cologne in the face of continued threats. He resided here with his wife, a native of Lorraine, and few knew of his intentions. It is believed his death was caused by infection of the wounds.

For several years Smetts was a strong advocate of secession of the Rhineland from Germany. He was described as president of the autonomist party of the Rhineland, and he beheld the movement were believed to have decided upon Smetts as the Rhineland republic's provisional president.

Eight Convicts Escape Through Prison Roof

Pittsburgh, March 29.—Eight convicts in the Riverside branch of the Western penitentiary, serving sentences for offenses ranging from robbery to second degree murder, escaped through the roof of the institution late today. One was shot in the leg by a guard and fell to the street outside the wall, breaking his ankle. He was recaptured.

The Weather

Table with 2 columns: Hourly Temperature and Wind. Rows for March 29 and 30, 1925, showing temperatures and wind directions/speeds.

Counsel for Shepherd to Prove Plot

Final Desperate Move in Battle for Bonds Will Be Evidence Supporting Frame-Up Charges.

Argument Upon Tuesday

By Universal Service. Chicago, March 29.—William D. Shepherd, defendant in one of the most baffling poison mysteries Chicago has known in a decade, expects to gain his liberty on bond. The man who is under indictment for slaying William N. McClintock, his millionaire ward, with typhoid germs, spent today quietly in jail. He expected it would be his last Sunday there.

The defense, directed by William Scott Stewart, will launch its big drive Tuesday when a motion for a rehearing of Shepherd's plea for bond will be argued before Chief Justice Jacob Hopkins in criminal court. The preliminary skirmishing opened Saturday when the first documents were submitted to substantiate charges often hurled by the defense that Shepherd is the victim of a diabolical frame-up.

Not Arraigned Yet. Shepherd has never pleaded on the 22-count indictment returned against him 10 days ago charging murder in the first degree. The whole fight since the indictment was returned has centered on the question of admitting the defendant to bond. Shepherd will not be arraigned on the indictment until that question has been settled.

If Shepherd and his attorney are able to show the court that the indictment was voted on faulty evidence Judge Hopkins is expected to grant bail.

Dr. C. C. Fairman, John Marchand and Earl Clark, the state's three star witnesses, may be held up by the defense as the real conspirators. Dr. Fairman was head of the National University of Sciences and Marchand and Clark were connected with it in one capacity or another.

Two Possible Plans. It may be shown that these three, learning that Judge Henry Olson, old time friend of the McClintock family, was investigating "Billy's" death and knowing that he believed the young millionaire might have been a victim of typhoid germs criminally administered, undertook to capitalize it.

There may have been, in a plan of this kind, two possible avenues of thought. One was to prove that he got germs from the school, unless he paid for silence, or with giving "information" to Judge Olson for a price. The defense expects to offer something along this line, it was said today.

The defense, up to this time, has offered no reasons for any sort. Shepherd, for the first time in a sworn statement Saturday, denied he ever had secured any germs from Fairman and said that he never had seen either Fairman or Marchand previous to the investigation.

Secretary Is Witness. Mrs. Luella Rhuebell, who was Fairman's secretary at the time Fairman's Shepherd attended the school and was a witness for the defense, is expected to be a witness for the defense. Attorney Stewart says he will prove by this witness that Shepherd was never at the school and that Fairman never had any typhoid germs there. In fact, the defense hopes to be able to show that Fairman is scientifically incapable of handling typhoid in a safe and keeping the culture alive for months, as he has claimed.

There is another important angle that will spring into prominence when Shepherd is placed on trial. The state will have to show that the typhoid germs it claims Shepherd fed McClintock actually caused McClintock's death. In other words, it is contended, under the laws of Illinois, the state will have to prove that McClintock could not have become inoculated with typhoid in any other way. This will be difficult, if not impossible, because at the time McClintock was taken ill there were many cases of typhoid in Chicago, as shown by health department records.

New Rulings Expected

New decisions, new court rulings and interpretations of the law are expected to grow out of this mystery case, according to prominent lawyers.

Thus far there are but two undisputed facts. First, that McClintock is dead and second that he died of typhoid fever.

Shepherd, criminal lawyers hold, might confess that he killed McClintock, by feeding him typhoid germs, and yet escape punishment for murder. Before the state could exact its penalty it would have to prove that it was those particular germs that caused McClintock's death—that he could not have contracted typhoid in any other way.

Wales Is Inoculated Against Typhoid Fever

On Board Republic, March 28.—The prince of Wales was greeted today with warm sunny weather and a smooth sea as the battle cruiser Resolute ploughed its way through the bay of Biscay, headed for South Africa. Yesterday shortly after the outbreak of influenza on the ship, the prince underwent typhoid inoculation. He gallantly led a band of volunteers who took the inoculation on the recommendation of the ship's doctor.

The prince intends to enjoy a thorough rest before the arrival of the cruiser at Bathurst on the west coast of Africa, April 4.