

WAR CABINET BILL FOUGHT IN SENATE

Thomas Says Measure Would Strip President of Constitutional Power.

SECRETARY BAKER PRAISED

Plea Made for Speeding Up of Shipbuilding—Commandeering of Yards, Conscription of Labor Suggested.

WASHINGTON, Feb. 8.—Except for more Senate discussion, led by Senator Thomas, a Democrat of the military committee, who praised the Army's accomplishments, defended Secretary Baker and opposed the war cabinet bill, there were no moves today in the controversy over war efficiency and organization.

By common consent further action was postponed until next week. Both the Senate and the military committee adjourned until Monday.

Tomorrow the conference of Republican Senators will be held. Republican Leader Gallinger today denied that solid party action upon pending legislation is planned.

Senator Thomas renewed debate in the Senate. While there has been evidence of some inefficiency in the War Department, he said, he was surprised there had not been more, since the United States was wholly unprepared for war.

Baker's Testimony Praised. Secretary Baker's testimony before the military committee was characterized by Senator Thomas, as "a story replete with accomplishments."

Senator Thomas estimated that between 10 and 40 per cent of the recently organized Government bureaus were "superfluous," with employees doing practically nothing, but it was the fault of the system of Government, he declared, and he did not place the blame on any official.

"The war cabinet could only add another link to the chain that binds us," he said. It would take from the President, he contended, his powers under the constitution as commander-in-chief of the Army and Navy.

Senator Thomas concluded with a plea for greater shipbuilding activity. He attacked labor for refusing to work full time and continually demanding higher wages.

More Commandeering Foreseen. "I think it has almost become necessary for the Government to commandeer every shipyard, conscript every employe and lay a heavy hand on idlers when workmen are so badly needed," he declared.

During the discussion Senator Chamberlain, chairman of the military committee, replied to criticism from Senator Lewis, Democrat whip, regarding the committee's examination of Mr. Baker. The latter suggested that the Secretary should have been called before the committee at first instead of after witnesses had presented attacks.

Senator Chamberlain said the committee's proceedings have been the expression of the Secretary.

The military committee met today but did not attempt to consider the war cabinet measure, nor continue its inquiry.

Both matters were postponed until next week, when Secretary Baker is expected to present information regarding available Army transport tonnage and also return for cross-examination.

The committee plans to close its war inquiry with investigation of cantonment site selections and construction contracts.

In considering the Administration bill proposing to invest the President with powers to co-ordinate and reorganize the Government machinery, Senator Overman, its sponsor, said today that he did not contemplate hasty action. It would be taken up by the judiciary committee next Monday, he said, and be subject to usual committee procedure.

Its introduction has so changed the situation that some Senators preparing addresses to be delivered next week against the war cabinet and munitions director bill may abandon them.

FUND NOW DISTRIBUTED

Money Raised in Portland Now in Hands of Agents.

Money raised in Portland for the Oregon soldiers' and sailors' emergency fund is now in the hands of authorities for disbursement where it will do the most good. Placing of the money has been supervised by the executive

GATENS FAULT, S COLLIERS CHARGE

Judge Is Held Temperamentally Hostile to Criminal Prosecutions.

ATTORNEY FILES AFFIDAVIT

Judge Kavanaugh Refuses to Reassign Case—Accused Jurist Responds, Deprecating Too Much Zeal to Win Convictions.

ORPHEUM GIVES UP DATE

HARRY LAUDER TO BE AT HELGIL WEDNESDAY.

Reservations to Be Changed to Monday or Tuesday for This Week. Show "Crackerjack."

The Orpheum has relinquished the use of next Wednesday at the Helgill Theater on account of the engagement of Harry Lauder. This necessitates closing of the new Orpheum show next Tuesday night and no Orpheum matinee or night show will be staged at the Helgill next Wednesday.

Arrangements have been made by the Orpheum management to transfer the Wednesday reservations of season-ticket holders this week to the performances of Monday or Tuesday. After



Blanche Dayne AT THE ORPHEUM

this week the Orpheum will resume its three-night and four-matinee schedule and an occasional Wednesday-night show will be staged as heretofore.

The Orpheum show to open at the Helgill tomorrow afternoon is another of the four-star type and it was lauded in Seattle as being a "crackerjack."

The joint headliners are the old favorites, Will M. Cressy and Blanche Dayne, in Mr. Cressy's classic country-town newspaper playlet, "The Wyoming Whoop," and Paul Norton, of the Four Mortons, and Naomi Glass in their musical satire entitled "1918-1920."

Other features are the Ziegler Sisters, with their Kentucky five, a vivacious "jazz" band, and Al Shays, "the singing beauty," assisted by Joe Sully.

ROAD WORK PROJECTED

COUNTY BOARD AUTHORIZES EXPENDITURE OF \$65,000.

Funds, for Maintenance Only, Are to Be Distributed Among Six Districts of County.

Further indications that road work in Multnomah County will not be hampered this spring because of the controversy which has arisen between Roadmaster Yeon and Chairman Holman, of the County Board, were given yesterday when the board adopted a resolution authorizing the expenditure of \$65,000 in the six road districts of the county. This money is to be spent in maintenance and is distributed about equally among the different districts.

Mr. Holman won a point in his controversy yesterday when Commissioner Muck agreed to eliminate an item of \$3800 for the employment of motorcycle patrolmen under the direction of the Roadmaster. Mr. Muck heretofore has insisted that the Roadmaster have direct supervision, but yesterday he capitulated and agreed to submit to the recommendations of Chairman Holman.

Chairman Holman said yesterday that he was making a thorough examination of the road programme submitted two weeks ago by Roadmaster Yeon, and within a short time would be ready to approve a considerable amount of the work projected by the road department.

FARE ORDER IS FOUGHT

COMMISSIONER BUCHTEL WANTS 6-CENT EDICT RESCINDED.

Attorney-General Asked for Another Opinion in Streetcar Battle, but May Not Furnish It.

SALEM, Or., Feb. 8.—(Special.)—Public Service Commissioner Buchtel has asked Attorney-General Brown for an additional opinion as to the commission's jurisdiction in the matter of the 6-cent fare for the Portland Railway, Light & Power Company. Whether the Attorney-General will furnish such an opinion is somewhat in doubt. Attorneys here today cited cases in which Attorney-General have been severely censured by the courts for issuing opinions on questions which were in process of litigation by the courts, and it is stated that Mr. Brown may pay some attention to these precedents.

The question raised is on the enactment of the Portland charter in 1912, when full power was given to the council of that city to regulate public utilities.

Commissioner Buchtel takes the stand that if the city's contention is correct he wishes to know it now, and he will ask the commission to immediately rescind the 6-cent fare order.

Phone your want ads to The Oregonian. Main 1715, A 6096.

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Judge Kavanaugh Refuses to Reassign Case—Accused Jurist Responds, Deprecating Too Much Zeal to Win Convictions.

Asserting, in a signed statement to Presiding Judge Kavanaugh, that Circuit Judge Gatens is "temperamentally hostile to criminal prosecutions and on frequent occasions has expressed himself to that effect," Chief Deputy District Attorney Collier yesterday sought to have the case against Sol J. Cohen, charged with a statutory offense, re-assigned to another department of the court.

The widening of the breach between Judge Gatens and the District Attorney's office started in the morning in Judge Kavanaugh's courtroom. Collier at first refused to proceed with the trial of the Cohen case and immediately filed his affidavit with Judge Kavanaugh.

In declining to interfere, Judge Kavanaugh held that the court may re-assign cases if it is shown that there is bias or prejudice on the part of the court in any specific case. In view of the fact that Collier's objections set forth that he disliked to try any criminal case before Judge Gatens, Judge Kavanaugh held that he could not interfere or show any partiality as between judges.

Trial of Case Proceeds. The trial then proceeded and the jury was selected late in the afternoon. Cohen is charged with contributing to the delinquency of 21-year-old Bertha Israel. His two brothers, both of whom are First Lieutenants, sat by his side throughout the trial yesterday.

Collier's letter and affidavit to Presiding Judge Kavanaugh follows: "I respectfully represent to the court that it is contrary to public policy and against the interest of public justice to assign further criminal cases to Judge W. N. Gatens, department No. 5 of the court, assign the following reasons therefor:

"That the judge of said department is temperamentally hostile to criminal prosecutions and on frequent occasions has expressed himself to the effect that said judge is personally hostile towards the prosecuting officers to the extent that the state feels it could not get a fair hearing in his court.

"That the demeanor of the court during the progress of criminal cases expresses this state of mind and he seeks to communicate to the jurors a feeling of distrust and a light regard of the rights of the state.

"I respectfully represent that a direct loss of public money and official efforts is the result of futile trials under the circumstances and further, therefore, under rule seven of this court, I object to the assignment of criminal cases to W. N. Gatens, judge of department No. 5 of this court."

Judge Gatens Responds. Judge Gatens later gave out the following signed statement with reference to his controversy with the District Attorney's office:

"I have no personal grievance against Mr. Collier, but I seriously object to the manner in which he tries cases before me. He has resorted, in my personal knowledge, to conduct which I think unbecoming an official, in order to secure the conviction of persons charged with crime. I regret to say that in one instance he went so far as to try to another evidence. It is such conduct as that which I object to, and not because of any personal feeling toward him.

"He and I differ as to the duties of a District Attorney. I would commend Mr. Collier to read the case of the State of Oregon vs. Osborne, reported in 54th Oregon, p. 294, wherein our Supreme Court said:

"It is as much the duty of the prosecuting attorney to see that a person on trial is not deprived of any of his statutory or constitutional rights as it is to prosecute him for the crime with which he may be charged, and every practitioner of the law will bear witness, that the District Attorney who fully appreciates and practices this self-evident duty is a rare exception rather than the rule. In practice he is usually so enthusiastic to add one more conviction to his string of legal conquests as the counsel for defense may be to clear his client."

"Mr. Collier, unfortunately, temperamentally is so vicious in the extreme to make a record for himself that he resorts to conduct unbecoming a member of the legal profession. If he honestly there will be no trouble, but if he does not I will certainly protest in the future as I have in the past. He is not the one to trial."

PERFECT RECORD SOUGHT

Eugene Church Expects Every Member to Purchase Thrift Stamps.

EUGENE, Or., Feb. 8.—(Special.)—Every man, woman and child of St. Mary's Catholic Church in Eugene is expected to purchase war saving and thrift stamps at a meeting of the Knights of Columbus last night it was declared that the members of that organization should endeavor to have 100 per cent of the church affiliation represented in the Government's war financing plan.

"I am no lover of England," Father P. Curley, pastor of the church, stated, "but America is in the war and her cause is just and we are going to win if it takes every dollar everyone of us has."

Friends Meet After 60 Years. ALBANY, Or., Feb. 8.—(Special.)—For the first time in 60 years, two old school friends met today, when A. J. Leach, of Oakdale, Neb., stopped here for a brief visit with Cyrus H. Walker. The two attended Pacific University, at Forest Grove, together from 1855 to 1857. In that latter year Mr. Leach went to Nebraska. Mr. Walker is the oldest living white child born west of the Rocky Mountains and recently celebrated his 79th birthday.

Albany Captain Injured. ALBANY, Or., Feb. 8.—(Special.)—While drilling on the Albany Armory's freshly drilled floor last evening, W. G. Ballack, Captain of the Home Guard Company here, fell and suffered an injury to his hip. It was necessary to take him home on a stretcher and he will be confined to bed for some time. Physicians do not believe, however, that the hip is fractured, though this is possible.

Car Shortage Is Small. SALEM, Or., Feb. 8.—The Southern Pacific car shortage in Oregon today was 55, shortage of 125 open cars and a surplus of 62 closed cars. The O. W. R. & N. Company reported a shortage of 123 and the Spokane, Portland & Seattle a surplus of 44.

PEOPLES PHOTOPLAYS OF MERIT



The Play With a Human "Lincoln" Specially Secured Attraction for Lincoln's Birthday

THE CRISIS FROM THE BOOK BY THE FAMOUS AUTHOR WINSTON CHURCHILL AMERICA'S GREATEST AMERICAN STORY

CAST OF CHARACTERS Judge Silas Whipple, who believes in Lincoln... George Fawcett Colonel Comyn Carvel, who believes otherwise... Matt B. Snyder Virginia Carvel, a fair "rebel".....Bessie Eyton Stephen Brice, from New England.....Thomas Santachi Mrs. Brice, Stephen's mother.....Eugenie Besserer Elphaleet Hopper, the Mole.....Frank Weed Clarence Colfax, in love with Virginia.....Marshall Neilan Lige Brent, a steamboat captain.....Will Machin Abraham Lincoln, the Man of Sorrows.....Sam D. Drane General W. T. Sherman.....Cecil Holland

TWO-SLICE PLAN FAILS SHIPYARD WORKERS THREATEN TO STAGE BREAD RIOT.

Restaurant Men Forced to Pile Bread on Tables When Customers Protest; Relief Is Promised.

Threatened with a mutiny on the part of workmen who refused to be limited to two slices of bread at a meal, the Portland Caterers' Association yesterday appealed to the Oregon Bakers' Association to manufacture war bread of which four slices per customer are allowed at a meal. H. H. Haynes, president of the Bakers' Association, called his colleagues together and the result of their conference was a promise to the restaurant men that beginning Monday morning, the new war bread will be available in large quantities.

Dissatisfaction at the two-slices-a-meal rule was strongest, according to Henry W. Kemp, secretary of the Portland Caterers' Association, in the restaurants in the shipyard district. With J. H. Joyce, president of the association, Mr. Kemp made a tour of the shipyard district restaurants yesterday and found that in many places the proprietors had been overwhelmed by the demands of the workmen and had piled the bread on the table, for every man to help himself.

"The man simply wouldn't stand for being limited to two slices," he was told by the restaurant men. It is confidently expected by the restaurant proprietors and W. B. Ayer, Federal food administrator for Ore-

gon, that a plentiful supply of the war bread will relieve the situation. Heretofore the bakers have confined their production of wheat substitutes to the Liberty bread, of which only two ounces at a meal are allowed by the orders of the Washington bureau of the food administration.

WAR BREAD TO BE SHOWN Miss Elizabeth Jacobson to Give Demonstration to Farmers.

YANCOUVER, Wash., Feb. 8.—(Special.)—Miss Elizabeth Jacobson, of the Washington State College of Pullman, will give a demonstration in making war and victory bread at the Clarke County courthouse here tomorrow at the Farmers' Institute.

WASHINGTON, Feb. 8.—Major-General Clarence R. Edwards, commanding the 25th Division, now in France, who has had pneumonia, is recuperating satisfactorily, according to word reaching here.

General Edwards Improving.

KEEPING SOLDIERS STRONG

Early in the world-war cod liver oil was selected to fortify the health of soldiers against the rigors and exposure of camp life and to help build up enduring strength.

SCOTT'S IS THE EMULSION

that actually guarantees the pure quality of Norwegian Cod Liver Oil which is refined in our own American laboratories. It is skillfully emulsified to promote prompt assimilation which is always difficult with the raw oil.

Scott's Emulsion is famous for putting power in the blood to thwart colds, grippe, pneumonia and lung trouble. It is free from alcohol or opiates.

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