

U. S. COURT AFFIRMS ALBERS SENTENCE

Conviction Under Espionage Act Sustained on Appeal.

PRISON TERM APPROVED

Trial Involves Alleged Derogatory Remarks Against U. S. and Former Secretary McAdoo.

SAN FRANCISCO, Feb. 9.—The United States circuit court of appeals here today affirmed a decision of the federal district court of Portland, Ore., imposing a fine of \$10,000 and three years' imprisonment on Henry Albers, a Pacific coast miller, on charges of violating the federal espionage act.

According to the government's charges, Albers, while traveling from Grants Pass to Roseburg, Ore., on April 8, 1917, made remarks derogatory to the United States, declared he was a German sympathizer and made verbal attacks on former Secretary of the Treasury William G. McAdoo and other officials.

The defense contended Albers was intoxicated at the time and therefore the legal intent sufficient to constitute a crime was lacking. Constitutionality of the espionage act also was attacked.

FURTHER APPEAL ANNOUNCED

Attorneys for Henry Albers to Carry Case to Highest Court.

Henry Albers was indicted on a charge of violating the espionage act and his case has been before the courts for slightly over a year. He is living at Mt. Hood, Ore., and has long been identified with milling interests on the Pacific coast.

Mr. Albers was indicted on November 2, 1918, and tried in Portland before Federal Judge Wolverson in January, 1919, the jury bringing in a verdict of guilty on two counts. Judge Wolverson sentenced the alleged German sympathizer to three years in federal prison and to pay a fine of \$10,000. Later a motion for a new trial was denied, but an appeal was taken to the circuit court of appeals at San Francisco, where the case was argued in October, a judgment not being rendered until this time.

There still remains the possibility of a hearing before the United States supreme court, and that Mr. Albers will make every effort to have the case taken to the highest court in the land was indicated yesterday. It was declared by his attorneys that the case would be fought to the last and that a petition for a writ of certiorari will be filed. Judge John McCall, who presided at the trial, has agreed to an extension of time of freedom under bond probably would be made while the United States supreme court considered the petition. Should the supreme court decide not to review the case, nothing short of a presidential pardon could keep the wealthy miller out of federal prison.

Mr. Albers is at present released on a \$10,000 bond, and no steps will be taken by the federal authorities until the mandate is received from San Francisco. District Attorney Humphreys announced. As soon as the mandate is received, he stated, a writ of execution will be asked for carrying out the sentence of the court. C. H. Carey, who, with Judge John McCall, appeared for the defendant at San Francisco, is expected to direct the attempt of Mr. Albers to have his case brought before the supreme court. Mr. Carey has been in New York on a business trip and is expected back Friday.

COOS FARMERS ORGANIZE

FARM BUREAU WITH MEMBERSHIP OF 500 PLANNED.

Preliminary Meeting Held at Coquille and Committee Named to Carry Out Programme.

COQUILLE, Ore., Feb. 9.—(Special.)—Fifty-four representative Coos county farmers and their wives met in Coquille to start organization of the Coos County Farm Bureau. An organizing committee was selected and it was decided to begin at once to organize ten communities of the county. April 15 was set as the date of the final county-wide organization meeting. A membership of 500 is expected.

Officers of the organizing committee are: President, James T. Jenkins, Parkersburg; secretary, Mrs. C. E. Schroeder, Arroyo; treasurer, S. Reed, Myrtle Point; W. A. Collier, Catching Inlet, and Mrs. J. E. Noah, north Coos river. This committee will direct the campaign until permanent officers are elected.

A definite programme will be developed in each of the following communities as rapidly as County Agents Farr and Home Demonstration Agent Kalbau, together with a member of the organizing committee, can reach them: Arroyo, Norway, Catching Inlet, north Coos river, south Coos river, lower Coquille, Broadbent, Coos and Lakeside.

SLAYER DENIES MURDER

Pinnell's Plea Is Expected to Be Insanely Causing Killing.

SOUTH BEND, Wash., Feb. 9.—(Special.)—John Pinnell, who recently shot and killed George W. Tyler at Raymond, was arraigned this week and pleaded not guilty. He asked the court to appoint John T. Welsh and R. G. Chambers as counsel, which the court did.

From circumstances leading up to the crime in which he killed Pinnell, believing the latter had broken up his home, his plea, it is thought, will be that of insanity.

M'ARTHUR IS BLACKLISTED

of anti-strike legislation. He has cast but few votes that labor will criticize.

There appears to be considerable doubt as to whether union labor will finally oppose Representative Hadley of Washington and French of Idaho. It was said that both of them had been placed in a tentative list for investigation. Neither Mr. Hadley nor Mr. French has shown any marked hostility to labor measures, but both being independently inclined, it is presumed they have cast some vote displeasing to the legislative representatives of the American Federation from the fact that they are among those

DEFENSE OF I. W. W. ABSOLVES REGION

Chamber of Commerce Is Blamed for Clash.

11 MEN CALLED MARTYRS

First Items of Evidence and Testimony by Prosecution Call Forth Early Answer.

WASHINGTON, Feb. 9.—The first reaction in congress to plans of organized labor for intervention in the coming political campaign came today in the house. Attacking the labor announcement as a "pronouncement against congress," Representative Blanton, democrat, Texas, said it was "the greatest menace ever sounded in this country."

Representative Nolan, republican, California, defended labor's program and charged that Blanton, in a previous extension of remarks in the Congressional Record, had "shown in a brief in the night." Mr. Blanton cut the defense short by objecting to Mr. Nolan's remarks.

The Texas member declared "the showing of Samuel Gompers' hand is going to wake up the people of this country."

"Whenever Samuel Gompers puts his hand on a representative and says 'elect him' the people will keep that man at home," said he.

"For once I heartily agree with Gompers and his associate leaders when they say a national crisis is threatening the institutions of the country," Blanton continued.

"When an organized minority of less than 5 per cent of the people can control legislation, and now threaten to elect a congress of serfs, it is indeed a national crisis threatening the institutions of the country."

Declaring that Mr. Gompers wanted a congress "pledged to carry out his orders," Mr. Blanton said it behooved all "Americans who love their country to find out the names of the candidates Gompers is trying to elect and elect the other man, in behalf of the people."

BAKER DENIES MUTINY

WAR SECRETARY BRANDS ALL CHARGES AS FALSE.

Allegations in House Bill on Operation of Transports Are Declared to Be "Unjust."

WASHINGTON, Feb. 9.—Denial that mutiny has occurred on any war department transport was made today by Secretary Baker, in a letter to Chairman Kahn of the house military committee. Mr. Baker said charges in a resolution introduced by Representative Britten, republican, Illinois, of "inefficient, unseaworthy, multi-ship, dangerous and almost murderous operation of transports," were "unjust."

Referring to the case of the transport America, which docked at New York last December with 13 members of the crew under arrest, the secretary said the charges were "unjust."

"Certain derelictions of duties," including theft, evidence against only one of the 13 men, was sufficient to hold him after the ship docked, he added, the others being punished at sea.

No evidence indicates that the accident to the Powhatan was the deliberate action of bolshevism aboard that vessel, wrote the secretary, referring to the recent flight of that transport which finally was towed to Halifax.

HOOD RIVER FOR WOOD

J. R. Nickelsen, State Senator, Candidate to Succeed Self.

HOOD RIVER, Ore., Feb. 9.—(Special.)—Political interest, national, state and local, is extremely dormant here. While the divided expression of prominent republicans indicates a local support of Leonard Wood for the presidency, no organized movement has been formed.

But a single candidate has made announcement of his intentions. J. R. Nickelsen, who was joint senator from Hood River and Wasco counties in the last legislature, will seek the republican nomination to succeed himself. While Hood River and Wasco counties must elect two joint representatives, no candidates are in the field. The offices of district attorney, sheriff, county clerk and school superintendent must be filled this year. No candidates have been announced.

Preparations, he said, are being made for the special election on February 23, which will include amendments relative to construction of a 200,000-gallon reservoir for the city waterworks, rehabilitating the electric light system, paving certain streets and hard-surfacing other intersections and crosswalks will come up.

The council at present is unable to provide sums for these improvements because of the limitations in the old charter enacted in 1899.

MORO PLANS EXPANSION

J. B. Hosford Announces Proposed Developments of Town.

The town of Moro is getting ready for a general expansion in more lines than one, according to J. B. Hosford, attorney from that place, who was in Portland yesterday.

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MACHINE GUNS HALT MOBS

spread rapidly and no further violence was attempted.

Lockett, recently discharged from the army, was arrested and points were formed immediately to look for him. He was found at the home of a friend six miles from the scene of the murder late that night. Police announced that the negro had confessed to the murder, adding that "he didn't know" why he had killed the girl.

FRANKFORT, Ky., Feb. 9.—Governor Morrow late this afternoon signed Lockett's death warrant. The negro will die in the electric chair at the state penitentiary March 11.

Yeggs Are Sentenced.

SOUTH BEND, Wash., Feb. 9.—Jack L. Gretcher, John Jackson and Leo Leland, self-confessed yeggs, who blew open the Northern Pacific ticket office safe here last Monday morning, were sentenced to the state reformatory at Monroe this week. The sentences were from 1 to 15 years.

defense, unfortunate for the jury, if I should permit you for two or three weeks to sit here and listen to testimony, only a part of which you understand.

"The big question in this case is who was the aggressor? Was it a deliberately planned murderous attack upon the marchers, or was it a deliberately planned attack upon the I. W. W. which they merely resisted? We will stand or fall or be judged by that issue.

"There has been some effort on the part of the state to make it appear that this is not an I. W. W. trial. It is. Not because we want that issue raised, but because if it is not kept out, the I. W. W. is at the bottom of this. Not as an organization, however. It is because it is a labor organization and because of the philosophy for which it stands that this thing arises.

Wage System Held Wrong.

"The I. W. W. is representative in this court of the labor movement of the rest of the world. The I. W. W. says first that the wage system is wrong and that it intends to abolish this system by organizing in the industrial field precisely as capital and employers organize."

Here Vanderveer recited a long list of economic tragedies which he alleged to be the fruit of the capitalistic system.

"These things," he continued, "have convinced the I. W. W. as they have convinced the nonpartisan leaguers, that there must be a fundamental change so that we may work for service rather than profit.

"Some time in September the I. W. W. opened a school at the Elks club on Tower avenue. From then on the I. W. W. conducted regular propaganda meetings. From this place also were dispatched organizers into the nearby lumber camps to teach the workers the philosophy of this labor movement."

Business Also Organized.

"About the time that we opened we will show you that people from Seattle came to Centralia and held meetings. It was in no sense a local movement. It was a national movement. The purpose was to form an organization of business men to combat the views of the I. W. W. Everybody, who sought to teach the truth of business conditions.

"On October 20 a meeting was held at the Elks club, at which William Scale was president. Various people spoke and said the I. W. W. must be the one to organize the workers. He was named Hubbard, F. H. Hubbard, president of the Eastern Railway & Mill Company, who said that it was a shame that the I. W. W. were not run out of town. Mr. Cunningham, counsel for the state, just stated that Mr. Abel is attorney for the timber interests.

"This meeting nominated me to deal with the I. W. W. A committee of 10 or 12 was appointed by the chairman. It was announced that the proceedings of that committee would be secret. They were and still are secret.

Outer Idea Protested.

"During the meeting of October 26 a city commissioner and the chief of police of the city of Centralia, Oregon, and said they had no right to run the I. W. W. out of Centralia. The city attorney told them there was no law in the state which would allow the I. W. W. out of town. That city attorney was Polly Grimm, brother and law partner of Warren Grimm.

"Mr. Grimm, according to the parade to that of two years ago, when the I. W. W. hall was raided during a patriotic parade, and declared that he would not allow the I. W. W. to be in the city. On November 11 was caused by the refusal of the authorities to afford protection.

"Vanderveer decided that after the Elks club meeting on October 29 such was the apprehension of the I. W. W. that circulars were printed in Tacoma and distributed in Centralia, asking the citizens of that city to protect the local I. W. W. from violence. He added that the defendants will call witnesses to testify to this.

Show of Strength Urged.

"Council has told you that the American Legion knew nothing about the plans," said Vanderveer. "I am not in the main that is true. But at an American Legion meeting Lieutenant Cromier said: 'It would be a good idea to show a show of strength we are.'"

"They rushed forward upon that doorway and before there even was a shot fired.

"The defendants had appealed for protection, and the crowd gave them. They said 'patience has ceased to be a virtue; if the law won't protect us, we'll protect ourselves.'"

"And now you are asking me to want you to ask yourselves—what would you have done?"

American Legion Exonerated.

"I exonerate, now and forever after, the American Legion for any responsibility for this. They were made the cats-paws and the time will come when they will know it.

"I am a member of the Elks lodge, and I can never say or do anything that would bring discredit upon it. But it, too, I believe, has been used in this case.

"I hope this is not true, and I tell you this because the evidence will show it. There will be witnesses to tell you that the American Legion, acting attorney of that county, stood on the corner of Second street and Tower avenue and watched this thing and received the lights.

Mayor Is Among Accused.

"That somebody, in my judgment," said the I. W. W. counsel, "was the mayor, electrician and the assistant electrician of the city of Centralia. That Elmer Smith, attorney and defendant, sacrificed his career to champion the cause of the workers, and he is the present plaintiff in this case. He is the defendant's mental condition. He said that the defense will probably employ a Portland physician, and named Dr. Williamson as the one whom the examination will be offered. At the opening of the morning session Vanderveer informed the court that he desired to make his opening statement at that time, rather than wait the formal opening of the case for the defendants. Weeks must intervene, he said, before the jurors would hear the witnesses and weigh the evidence of the defense. For that reason, he asserted, he felt it necessary to make a statement in reply to the opening statement of the prosecution and to give to the jury a more comprehensive view of the testimony than by not knowing in detail what our proof will be," said Vanderveer.

"This promises to be a long trial. The prosecution has 200 witnesses. I don't think it will produce them all. I think it wouldn't dare.

"It would be unfortunate for the

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Arnold and that they took weapons with them, but asserted that no shots were fired and that Bland cut his hand so badly in smashing the window that he could not hold a rifle.

At no time did Vanderveer make reference to the confession of Loren Roberts or to the rifleman alleged to have been stationed on Seminary hill. He closed with a comparison of the defendants to famous political martyrs, especially to Loveloy, abolitionist who preached and pointed against slavery before the civil war in Illinois.

"I don't know what the verdict of today will be," counsel for the I. W. W. counsel. "But I say to you that the verdict of tomorrow will be that the men were martyrs to a cause and that they were true Americans."

Commercial Club Plans Work.

SALEM, Ore., Feb. 9.—(Special.)—Money included in the 1920 budget of the Salem Commercial club will be used as a working capital, while the receipts from dues will be applied toward the overhead expenses of the institution in the event the directors approve the plans presented by T. E. McCroskey, secretary of the organization. The budget calls for a working capital of \$1500.

Statutory Charge Dismissed.

THE DALLER, Ore., Feb. 9.—(Special.)—A not true bill was returned against George Harth of Tygh Valley by the Wasco county grand jury.

HOOD RIVER, Ore., Feb. 9.—(Special.)—Al G. Graff, director of the apple growers' association, just back from New York City, where he investigated apple marketing conditions, today strongly arraigned Hood River growers for their apathy and carelessness in grading fruit.

He found that the condition was general; that members of the association and independent shippers alike were working inevitable harm to this district by poor pack.

Mr. Graff declares that Hood River apples, prior to 1916, demanded a premium of 50 to 75 cents a box on the metropolitan market because of their extra quality and standard of pack, but today, as he states, Hood River growers are living in a fool's paradise, endeavoring to reap the benefits of their reputation while they flood the markets with an inferior pack.

College Honors Veterans.

ALBANY, Ore., Feb. 9.—(Special.)—The opening of the second semester of the school year at Albany college today was marked by a patriotic hour in honor of the college students who served in the world war. A roll-call

of the students who were in the army and navy was a feature of the programme. George H. Crowell of this city, who returned home recently after serving more than a year in France as a U. M. C. A. secretary, was the principal speaker.

"Labor Jury" Member Named.

CENTRALIA, Wash., Feb. 9.—(Special.)—As the result of an open meeting held yesterday afternoon by Centralia local No. 492, Brotherhood of Railway trainmen, which was addressed by Frank Turco, vice-president of the Seattle metal trades council and a labor organizer, E. W. Thrall has been named as Centralia's representative on the labor "jury" at the I. W. W. trial at Montemoreno. Turco asked the union to appoint such a member.

Harth was charged by Mrs. Ida Collins, a farm assistant on the Harth ranch, of a statutory crime against her.

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She Darkened Her Gray Hair. Tells How She Did It With a Home-Made Remedy.

Mrs. E. H. Boots, a well-known resident of Buchanan County, Ia., who darkened her gray hair, made the following statement:

"Any lady or gentleman can darken their gray or faded hair, and make it soft and glossy with this simple remedy, which they can mix at home. To half a pint of water add 1 ounce of bay rum, one small box of Harbo Compound and 4 ounce of glycerine. These ingredients can be purchased at any drug store at very little cost. Apply to the hair every other day until the gray hair is darkened sufficiently. It does not color the scalp; is not greasy and does not rub off. It will make a gray-haired person look 10 to 20 years younger."—Adv.

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