

LANSING QUILTS AFTER REBUKE

President's Power Was Usurped, Says Wilson.

CABINET SESSIONS ANGER

Verbal Duel Over Government Without Head Causes Secretary to Resign.

VEVING PROBLEMS RECALLED

Secretary Explains Need of Gatherings While Chief Could Not Direct.

WASHINGTON, Feb. 13.—Robert Lansing ended his career as secretary of state today after President Wilson had accused him of usurping the powers of president by calling meetings of the cabinet during the president's illness.

Mr. Lansing denied that he had sought or intended to usurp the presidential authority. He added, however, that he believed then and still believed that the cabinet conferences were "for the best interests of the republic," that they were "proper and necessary" because of the president's condition and that he would have been derelict in his duty if he had failed to act as he did.

Resignation Is Accepted.

As the record stands, Mr. Lansing tendered his resignation and Mr. Wilson accepted it. The resignation was offered, however, only after the president, under date of February 7, had written asking if it were true Mr. Lansing had called cabinet meetings and stating that if such were the case he felt it necessary to say that "under our constitutional law and practice, as developed hitherto, no one but the president has the right to summon the heads of the executive departments into conference."

Mr. Lansing answered two days later—last Monday—saying he had called the cabinet conferences because he and others of the president's official family "felt that, in view of the fact that we were denied communication with you, it was wise for us to confer informally together on . . . matters as to which action could not be postponed until your medical advisers permitted you to pass upon them."

Secretary Offers to Retire.

The secretary concluded by saying that if the president believed he had failed in his "loyalty" to him and if Mr. Wilson no longer had confidence in him, he was ready to "relieve you of any embarrassment by placing my resignation in your hands."

The president replied last Wednesday that he was "much disappointed" by Mr. Lansing's letter regarding "the so-called cabinet meetings." He said he found nothing in the secretary's letter "which justifies your assumption of presidential authority in such a matter" and added that he "must frankly take advantage of your kind suggestion" to resign.

NEWS WRITERS SAVE FIVE

Patients in Burning Hospital in Montezano Are Rescued.

MONTEZANO, Wash., Feb. 13.—Visiting newspapermen here attending the trial of alleged I. W. W. charged with the murder of Warren O. Grimm, carried patients to safety from Dr. J. Fitz's hospital tonight, when fire, starting in the kitchen in a hotel adjoining, spread to the hospital and for a time threatened other structures. Only five patients were in the hospital at the time the fire was discovered, and they were carried out before the blaze penetrated the hospital walls.

SENATE GETS WARNING

Training Bill Cannot Be Side-tracked, Chamberlain Asserts.

WASHINGTON, Feb. 13.—Universal military training cannot be "side-tracked" in congress, Senator Chamberlain, democrat, Oregon, former chairman of the senate military committee, warned the senate today.

The house democrats were charged by Senator Chamberlain with "taking to the woods" on the training issue. He expressed hope that any move that direction by republican leaders would fail.

POLK WILL BE MADE ACTING SECRETARY

UNDER-SECRETARY NOT LIKELY TO SUCCEED LANSING.

Appointment of New Cabinet Member Expected; Candidates Not Predicted.

WASHINGTON, Feb. 13.—Frank L. Polk, under-secretary of state, will be made secretary ad interim tomorrow to act until President Wilson appoints a successor to Robert Lansing. This is expected to be in the very near future.

Several names were suggested tonight in administrative circles but officials frankly admitted that they had no definite information as to who the president had in mind for the place.

Chief among those suggested was Mr. Polk, but his friends say that he will not accept the appointment if offered him because of the state of his health. In fact, he has long had it in mind to resign from the state department and take a long rest, a course which his physicians have urged.

Mr. Polk entered the state department as counselor on September 16, 1915, succeeding to the post Mr. Lansing held before becoming secretary. He was made under-secretary of state on June 23, 1919, under the legislation passed by the last congress creating the office. He served as acting secretary of state throughout the time Mr. Lansing was at the peace conference in Paris. Before entering the state department Mr. Polk was "corporation counsel of New York City and also was a member of the civil service commission there."

'DISTORTED NEWS' RAPPED

Farmer-Labor Congress Hears Plea for Co-operative Press.

CHICAGO, Feb. 13.—Speakers at the farmer-labor co-operative congress today recommended the organization of co-operative daily newspapers and denounced the press of the country as "prostituted and debased to the interests of capitalists."

"We can make no progress in co-operative enterprises until we get rid of the newspaper system we now have," declared M. Lizzell, commissioner of immigration in North Dakota, said. "Thirty million people read the newspapers daily and their minds are poisoned by distorted news."

To prove that co-operative newspaper enterprises could be successful, two daily newspapers operated by the non-partisan league in North Dakota.

Attention was called to the many and perplexing questions with which Secretary Lansing and the cabinet had to grapple with while Mr. Wilson was confined to a sick chamber too ill to be seen. At one time or another during the president's illness, almost every member of the cabinet had some great problem to handle and needed advice, but apparently Mr. Wilson's wrath fell on Mr. Lansing because the secretary of state was the ranking member of the official family and consequently presided at such meetings.

Among other great questions was the one pressing upon the government from both houses of congress as to the physical condition of President Wilson, with rumors flying, as may be frankly stated now that the head of the government was suffering from a mental breakdown.

Sessions Considered Necessary. Mr. Lansing could not see the president. He had only the vague word of the president's physicians as to his condition, and the country as well as congress demanded to know something more definite. It seemed necessary for the cabinet to consider what to do in such a crisis.

Then, there was the Mexican question again reaching the point where this government had to do something to stay the murderous hand, this time of Carranza bandits. Again the secretary of state could not see the president.

Was the government because the president was ill, to cease functioning entirely and permit a band of outlaws which had kidnaped an official representative of this country to go to the limit?

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WILSON "TOO ILL" IS PUBLIC VERDICT

Charge Against Secretary Is Declared Childish.

LANSING'S MOTIVES UPHELD

Cabinet Sessions Solve Problem of Leaderless Nation.

MORE RESIGNATIONS LOOM

Palmer Understood to Have Urged Meetings for Consideration of Ponderous Issues.

OREGONIAN NEWS BUREAU

WASHINGTON, Feb. 13.—It is perhaps well not to repeat the first comment in Washington that followed the sensational announcement tonight of the resignation of Secretary Lansing.

Although there had been rumors for months that Secretary Lansing intended resigning, it certainly was never expected that his retirement would come with such startling disclosures as that which accompanied the announcement.

Every remark as the news reached public officials was sympathetic with Secretary Lansing, and upheld his judgment on the issue of the informal cabinet meetings, given by Mr. Wilson as the excuse for forcing the resignation.

Problems Met by Lansing. Attention was called to the many and perplexing questions with which Secretary Lansing and the cabinet had to grapple with while Mr. Wilson was confined to a sick chamber too ill to be seen. At one time or another during the president's illness, almost every member of the cabinet had some great problem to handle and needed advice, but apparently Mr. Wilson's wrath fell on Mr. Lansing because the secretary of state was the ranking member of the official family and consequently presided at such meetings.

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LANSING IS NINTH TO LEAVE CABINET

EIGHT ORIGINAL MEMBERS QUIT; ONE TRANSFERRED.

James Clark McReynolds First to Resign—Only Three Continue in Office.

OREGONIAN NEWS BUREAU

WASHINGTON, Feb. 13.—(Special.)—With the retirement of Secretary Lansing nine members of President Wilson's cabinet have resigned and one has been transferred. The original cabinet was composed of William J. Bryan, secretary of state; William Gibbs McAdoo, secretary of the treasury; Lindley Miller Garrison, secretary of war; Josephus Daniels, secretary of the navy; James Clark McReynolds, attorney-general; A. S. Bryan, postmaster-general; Franklin K. Lane, secretary of the interior; David Franklin Houston, secretary of agriculture; William Cox Redfield, secretary of commerce, and William Baughop Wilson, secretary of labor.

Of these Secretary Daniels, Secretary Wilson and Postmaster-General Baughop remain at their posts. Secretary Houston was transferred to the treasury to succeed Carter Glass, who succeeded Mr. McAdoo.

The first of the president's cabinet to resign was Mr. McReynolds, who quit in August, 1914, to accept the position of associate justice of the United States supreme court. He was succeeded by Thomas Watt Gregory.

Mr. Bryan quit June 9, 1915, because he was not in harmony with the president's war policy in dealing with Germany. He was succeeded by Robert Lansing.

Secretary Garrison resigned February 10, 1916, because he was out of harmony with the president on the military legislative programme. He was succeeded by Newton D. Baker.

Secretary McAdoo resigned late in 1918, to recalculate his finances. He was succeeded by Carter Glass.

Attorney-General Gregory resigned in March, 1919, to resume private law practice. He was succeeded by A. Mitchell Palmer.

Secretary Redfield resigned last year to resume business. He was succeeded by Joshua W. Alexander.

Secretary Glass resigned early this year to enter the senate. He was succeeded by Secretary Houston.

Secretary Houston quit to go to the treasury department. He was succeeded by E. T. Meredith.

Secretary Lane has resigned to take effect March 1. He will be succeeded by John Barton Payne.

Secretary Lansing resigned today. His successor has not been named.

LITERARY "FIND" MADE

Hugh Walpole Discovers Letters of Sir Walter Scott in San Francisco.

SAN FRANCISCO, Feb. 13.—Hugh Walpole, English author, announced today he had discovered in a San Francisco bookshop 150 original pages of Sir Walter Scott's letters and memoranda written to John Gibson, his attorney.

Walpole stated he had been searching for the literary "find" for many years. He is said to have paid several thousand dollars for the letters.

SWEDEN SUPPLIES PAPER

Steamer Brings 3000 Rolls News Print to Relieve Shortage.

NEW YORK, Feb. 13.—A Swedish steamship arrived here today from Gothenburg, Sweden, with 3000 rolls of news print paper.

NEW HAVEN, Conn., Feb. 13.—Afternoon newspapers here which temporarily suspended publication yesterday went to press as usual this afternoon.

DATE FOR HEARING IS PUT UP TO MYERS

SENATE POSTAL COMMITTEE READY TO TAKE CASE.

Chairman Declares Power of Postmaster-General Is Not to Be Questioned.

OREGONIAN NEWS BUREAU

WASHINGTON, Feb. 13.—It is up to Frank S. Myers, ex-postmaster of Portland, to suggest when he would like to be heard before the senate postoffice committee relative to his removal, Senator Townsend, of Michigan, the chairman, said today. Such a hearing cannot have any bearing one way or another on the action of the postmaster-general in removing Myers, the chairman said, as the right to remove cannot be disputed. In other words, there is no authority in law for such a hearing, but it will be granted if Myers insists, but the Oregon senators having asked that he be heard.

Myers' insistence that he should be heard is predicated on the assumption that his removal is not legal because he was not removed by the president "by and with the consent of the senate." It is pointed out here that the order of the postoffice department removing Myers was the act of the president, because the department could not have acted without his sanction.

Senator Chamberlain said today that there are abundant precedents in decisions of the highest court supporting the president's right to remove an appointive official summarily at any time he wishes without giving any reasons.

A previous statement that H. G. Starkweather, democratic state senator of Oregon, had written Senator Townsend was erroneous. Mr. Starkweather's efforts in behalf of Myers were telegrams addressed to other influential officials in Washington.

That he will leave immediately for Washington, D. C., to appear before the United States senate committee on postal affairs, in case he receives an invitation from Chairman Townsend, and that he will not only defend himself in the most vigorous fashion against any possible charges that may appear from any quarter, "will institute libel suits against any and all persons who may have made false statements" against him, was the emphatic declaration of Frank S. Myers, deposed postmaster of Portland, last night.

Mr. Myers was asked whether he had received official notification that he was to have a hearing before the committee and replied that he had not, but that he thought perhaps he might some time next week.

"If I receive an official invitation to go to Washington and appear before the committee, I will leave immediately," said Mr. Myers. "I certainly want a hearing at the earliest possible moment, and if granted one will be on hand, ready to answer any possible charge and to refute any possible slander that may have been filed against me."

"Thus far I have been unable to locate any charges of whatever nature, and it now appears to me that it is simply a political frame-up—nothing more nor less. It seems, also, that it is obvious as to who is back of all this. Should I find that anyone has filed false statements against me, I shall immediately institute libel suits against them and will prosecute them to the limit."

Mr. Myers still insists that the law is clear that he cannot be summarily removed by the president without the sanction of the senate, and reiterates that he is entitled under the law to a hearing.

LIQUOR ON LINERS NOT NECESSARY

Senator Jones Attacks Payne's Excuse.

ONE SHIP NOT FAIR TEST

Proposed Sale of Captured German Vessels Defended.

FULL DETAILS DESIRED

Confirmation of Appointment of New Secretary of Interior Likely to Be Held Up for Some Time.

OREGONIAN NEWS BUREAU

WASHINGTON, Feb. 13.—The appearance of John Barton Payne, chairman of the shipping board, before the senate commerce committee this afternoon to explain the proposed sale of the 30 captured German ships, seems to be the forerunner of a searching investigation of all of the board's operations. Incidentally the immediate outcome may be the holding up of the confirmation of Judge Payne's nomination as secretary of the interior, to which he was appointed yesterday, and likewise delay in the confirmation of Louis T. Howe, named last week to one of the shipping board vacancies.

Chairman Payne made a good witness today in defense of the board's action in handling the sale of the ships, but Senator Jones promptly challenged the propriety of his report to the president that the shipping board could not operate the ships successfully because of federal inhibition against handling liquor.

Jones Defends Dry Lines. Chairman Payne repeated his statement that the Moccasin, the first shipping board vessel to sail in the South American service, sold all of its passenger space promptly, but that more than half of the bookings were canceled when announcement was made that there would be no liquor aboard. He admitted that his report of a certain failure of ships so operated was based on that one experience.

Senator Jones brought out the fact that the notice that there was to be no liquor aboard was made such a short time before the ship sailed that it was not a fair test as to whether others would have engaged the canceled space had they been given the opportunity, and then said:

"I want to say right here for the record that there are more people in the United States who want to travel on ships that do not sell liquor than those who demand it."

Prohibitionists Express Approval. Then came the turn of the prohibitionists at the hearing to express their hearty approval, and they did, while those whose faces lighted at the earlier statement of Chairman Payne wiped away their smiles.

"The next sailing will be in March," Chairman Payne continued, whereupon Senator Jones again commented: "And I predict that the space will be sold to the limit."

This closed the prohibition discussion. (Concluded on Page 2, Column 3.)

CLEVER MOONSHINING PLOT LAID TO TWINS

NATURAL RESEMBLANCE USED TO EVADE LAW IS CHARGE.

House Rented by One and Still Run by Other to Prove Alibis, Assert Officers.

What federal authorities assert was one of the most ingenious moonshining plots ever devised was revealed yesterday in the arrest of Ed Dusterhoff, who is held under \$1000 bonds on a federal charge of operating a still.

Ed Dusterhoff and L. A. Dusterhoff are twin brothers. They look so much alike that even their most intimate friends can scarcely tell them apart.

According to revenue officers the plan of the Dusterhoff brothers was this: L. A. Dusterhoff, it is alleged, would locate a house, pay the rent for a month or two and then set up a still for the manufacture of moonshine whiskey. But before the still was put into operation he would leave the city. The twin brother, Ed, it is alleged, remained behind to operate the still.

In case revenue officers located the still and started to investigate they learned that the house was rented by L. A. Dusterhoff, but when they arrested him for moonshining he was always able to prove an alibi by showing that he was in another city or another state at the time any moonshining might have been manufactured.

According to Assistant United States Attorney Flegel, L. A. Dusterhoff was now under arrest in Seattle on a moonshining charge.

Ed Dusterhoff was arrested yesterday at 1107 Milwaukee avenue, where a still is said to have been in operation.

In the first instance, through the testimony of Tom C. Morgan, 19, who was in the Centralia I. W. W. hall when the first shots were fired, the state has established basis for its contention that members of the American Legion, marchers in the patriotic parade, did not rush the radical headquarters until bullets had whistled through their ranks.

Soldiers Declared in Line. "Where were the soldiers at the time the shots were fired?" queried W. H. Abel, special prosecutor, when Morgan had related that he stood within the I. W. W. hall, watching the parade.

"Some were closing up and others were keeping time," answered Morgan. "Some shots were fired from across the street."

In the second instance, through the testimony of Charles Briffett, superintendent of schools at Port Angeles, ex-resident of Centralia, who was in that city on Armistice day, the state appeared to establish definitely the identity of Eugene Barnett, defendant, as one of the fifteen men and the character of the rifle he bore as similar in model and size to the 35-caliber weapon which is declared to have slain Grimm.

Woman Gives Testimony. The third instance was in the testimony of Miss Elsie Hornbeck, bookkeeper in a garage just opposite the Avalon hotel, who declared that Eugene Barnett, as he sat in the prisoners' dock, was in her opinion the same man she saw peer from an upper window of the Avalon hotel, just before the firing started.

Her employer, A. H. Carpenter, testified he saw a moment or so later, the flash of a rifle fire from the same window. Cross-examination of both these witnesses left their testimony apparently undamaged.

Briffett, whose hobby is firearms and who had spent seven years as a gunsmith in Olympia, where he was interested in a sporting goods store, said that he had heard heavy firing and was walking toward Tower avenue, west on second street, when a man came out of the alley at the rear of the Avalon hotel.

Man Is Carrying Rifle. He testified that this man carried a rifle, seemed agitated, white of face, and was thrusting cartridges into his magazine. The rifle he recognized instantly as a Winchester of heavy caliber, model 1894. With the heavy yet echoing he paid close heed to the stranger. Their eyes met.

"Would you know that man?" asked Abel.

"I would."

"Is he among these defendants?"

"The third from that end," said Briffett, pointing.

At a request Eugene Barnett rose to his feet and stood for a moment as Briffett's eyes raked over him.

"That is the man," said the witness.

Courtroom Is Crowded. The courtroom was crowded to capacity by those who found entrance when it became known that the case had quickened its pace and that sensational testimony was to the fore.

Particularly keen was the interest felt in the probable testimony of Tom Morgan. Morgan was captured when the legionnaires scoured through the hall in search of their assailants—captured as he crouched in hiding in an ice box on the rear stoop. It had been known that he denied all prior knowledge of the alleged I. W. W. plan and that he disclaimed any part in it or the subsequent tragedy. Since his arrest Morgan had been held by the state as a material witness, original charges against him having been withdrawn.

No Hesitation Noted. With the gaze of 11 defendants fixed on him, but without hesitation or apparent fear, Morgan told a straightforward story of those lurid minutes in the I. W. W. hall on armistice day. When George F. Vanderveer, counsel for the defense, subjected him to rigorous cross-examination Morgan held to his previous testimony, reiterated his statement that shots were fired before the veterans ever broke ranks and naming the man

(Concluded on Page 2, Column 1.)

MORGAN DENIES RUSH ON I. W. W.

Shots Preceded Attack, Declares Witness.

YOUTH IN HALL AT TIME

Eugene Barnett Implicated by Another's Testimony.

SCHOOL HEAD ON STAND

Charles Briffett of Port Angeles Describes Man Seen in Hiding in By-Street.

BY DEN HUR LAHFMAN

MONTERANO, Wash., Feb. 13.—Thrice today through the testimony of star witnesses the state scored heavily in its case against the eleven I. W. W. defendants in superior court