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MONTESANO JURY GETS I. W. W. CASE

Court's Charge and Final Arguments Heard.

EARLY VERDICT IS EXPECTED

Firing From Hill Unlawful, Is Judge's Declaration.

POSSIBLE PLOT VIEWED

Knowledge of Premeditated Crime Declared Sufficient to Convict Regardless of Acts.

BY BEN HUR LAMPMAN.
MONTESANO, Wash., March 12.—(Special.)—With the specific plea that all of the ten I. W. W. defendants be found guilty of murder in the first degree for the killing of Warren O. Grimm, victim of the Centralia Armistice-day tragedy, the state concluded argument at 10:15 o'clock tonight, when the case went to the jury, after seven weeks of trial.

"Before your country and before your God you can find no other verdict than murder in the first degree," declared W. H. Abel, special prosecutor, in addressing the jurors. At 10:20 o'clock with the courtroom still packed to capacity, Judge Wilson called the four balliffs to take the oath, intrusted the jury to their vigilance and bade the jury retire to deliberate upon their verdict.

Early Verdict Expected.
It is expected that a verdict will be reached before tomorrow afternoon, though many contend that disagreement will result. Under the court's instructions, however, it seems certain that a verdict must be agreed upon, either for guilt or innocence, in the instance of each defendant, so clear cut was the judicial advice. No verdict is expected tonight, however. The election of a foreman will slumber until morning.

In the closing argument for the state, Prosecutor Abel reviewed the evidence and the testimony and asserted that by both the attempted sibling of Eugene Barnett, defendant, had been killed.

Verdict of Guilty Is Asked.
Raising his argument did not provide for the placing of men with high-powered rifles at places off the premises being defended, and advised the jury that if two or more of the defendants so planned, or carried out such a plan and as a natural result of which Grimm was shot and killed such killing would be murder, and each and every one of the defendants so planning or participating would be guilty of murder.

Testimony Held Perjured.
"For five long days," asserted Abel, "we dared counsel to prove that Warren O. Grimm was anywhere near the I. W. W. hall. Finally he was absolutely driven to the wall, and then came the perjured testimony—the testimony that was untrue!"

"The I. W. W. organization is not a shield for murderers. Behind the shield of that organization no man may say that he can shoot down at will men in the street."

"You understand, gentlemen, that what was done on that day was intended." (Here the prosecutor directed the weapons that were taken at the hall, the Avalon, the Arnold and Seminary hill by the defendants.) "The killing of Grimm was willful murder. There can be no circumstances in this case but that a verdict of murder in the second degree."

Counselor Is Challenged.
"Vanderveer for the defense (Vanderveer) tells you that he has for years fought the battles of the under dog. I'm not so sure about that. I'm not so sure that he hasn't been fighting the battles of the vicious, of the disloyal, of the criminal. I'm not sure but that his voice has been raised offener in defense of treason than of right."

"I want you to remember, you jurors, that there are other people besides these defendants who are interested in this case. Shall we say that the widow of Warren O. Grimm and her little daughter are not interested? Shall we say that Grimm could be slaughtered in his uniform, in the broad light of day, and that a thing so cruel as that should go unpunished?"

"All that we ask is justice, and we do say that, in dealing justice, these men will every one be convicted of murder in the first degree."

It is stated that the police mistook a cousin of Mrs. de Valera, from London, for the countess in disguise.

VOTES SOUGHT BY AID TO SOLDIERS, CHARGED

EX-COLONEL STARTS RUMPUS IN "BONUS" COMMITTEE.

WASHINGTON, March 12.—The

frank statement by a witness that members of congress would support soldier relief legislation in order to get votes, started a rumpus today in the house ways and means committee, considering a multitude of bills dealing with the subject.

Frank P. Keech, a New York broker, ex-inspector-general in the inspector-general's department, opposing additional compensation for ex-soldiers, declared some legislation might be expected because of political pressure. The inference that members would be swayed through fear of losing votes was characterized by Chairman Fordney as an insult to the committee and congress.

Keech replied that his statement was not intended to be insulting, but that it was nevertheless true. "I consider it an insult for any person to say that I would spend two billion dollars out of the public money to be squandered by congress," declared Chairman Fordney.

"What was your salary before and after the war?" asked Representative Frear, republican, Wisconsin, after the wrangle had subsided. "I don't wish to give that," Mr. Keech said.

"You are a broker and you speak from the Wall-street viewpoint," said Mr. Frear. "Do you know if boys on the farm who left everything feel as the people who lived in New York?"

"From conditions in New York I would say that a bonus is not desired or needed by the average discharged soldier," Mr. Keech replied.

The witness added that he was concerned over the predicted decrease in bond values. He objected to the suggestion of Representative Rainey, democrat, Illinois, to place a million on the 20,000 men who became millionaires during the war.

"Initiative ceases when taxes become high and such an additional tax would be harmful," said he.

George M. Rushmore of New York, ex-sergeant, testified that soldiers did not consider the possible harm to government finances which might result from payment of a cash bonus.

A great majority of those receiving money would spend it foolishly in six months, he said.

Urging a preferential grant to overseas men, Leonard Ormerod of Washington, who served as an enlisted man in the 24 division, said "The mental strain of being abruptly cut off from this country made such soldiers deserve more than would be granted domestic troops."

BOYS AND POLICE BATTLE IN JAIL

Chief and Assistant Are Knocked Out, Locked Up.

SHERIFF PREVENTS ESCAPE

Gory Struggle Lasts 20 Minutes, but Lads Are Victors.

CHIEF KICKED, IS CHARGE

Patrolman Declares Lads Maltrait Unconscious Form of Chief and Lock Him in Prison.

THE DALLES, Or., March 12.—(Special.)—In a pitched battle lasting for 20 minutes this afternoon in The Dalles city jail, Frank Heater, police chief, was knocked unconscious and was locked in the cell corridor with James McClaskey, patrolman, by two recalcitrant youths whose escape from the city battle was frustrated by the timely arrival of Sheriff Henderson of Klickitat county and John Crawford of Grand Dalles.

James and Mark Walkenshaw, husky lads from Condon, Or., stood on the streets of the city yesterday and made pertinent and insulting remarks to passing girls and women, according to police officers. Chief Heater arrested the Walkenshaws.

Battle Lasts 20 Minutes.
Realizing that the two apprehended youths whose ages are about 21, might be somewhat cooled off and intending to give them a little lecture and then turn them loose, Chief Heater advanced into the corridor and spoke to the lads. They met his advances in a hostile manner, according to the police officers, and offered to battle with the chief at whom they made a pass. Patrolman McClaskey was also drawn into the fray and the four fought like caged hyenas for 20 minutes, during which time all were covered with blood.

In the midst of the fray, either because he was struck by a blow from one of the youths or was dodging from an expected blow, the head of Chief Heater came into violent contact with a sharp projecting iron grating of the cell, cutting a gash in his scalp which afterward required several stitches.

As his chief lay on the floor McClaskey went to his assistance and while endeavoring to raise Heater's head so that the unconscious man might obtain more air he was struck from behind by one of the culprits, seized hold of and thrown violently into the cell. Then the lads, according to McClaskey, kicked, bit Heater brutally several times while he lay still on the corridor floor and pitched the chief into the cell room and locked the door.

Sheriff Captures Boys.
As the two youths were leaving the jail they were met by Sheriff Henderson of Klickitat county who had come to see Chief Heater. Seeing the blood spattered on the face and clothes of the fellows the sheriff accosted them and demanded an explanation. The lads were unable to give a satisfactory tale, saying that they "had been picked on by some fellows in the room."

The sheriff, who was accompanied (Continued on Page 2, Column 4.)

TONGUE POINT BASE WINS FIRST ROUND

PROJECT APPROVED BY HOUSE SUB-COMMITTEE.

Initial Appropriation of \$250,000 Recommended—Astoria Citizens to Furnish Site.

OREGONIAN NEWS BUREAU.
WASHINGTON, March 12.—Representative McArthur today won the first round of his fight to secure legislation authorizing the location of a submarine base in the Columbia river. The sub-committee on appropriations of the house naval affairs committee, which is engaged in writing the pending naval appropriation bill, approved the Tongue Point project and recommended an initial appropriation of \$250,000 to begin the work. The sub-committee also recommended that the project be authorized upon condition that citizens of Astoria furnish the site free of cost to the government.

Although the navy department recommended an initial appropriation of \$1,000,000 for this project, members of the sub-committee found it necessary to reduce the item to \$250,000 in order to keep the total amount carried in the bill within the limits prescribed by the steering committee of the house. Mr. McArthur was elated tonight when informed of the preliminary looking to the location of the project which the sub-committee members of the sub-committee said tonight that the principal argument in favor of the Columbia river location is the long expanse of unprotected coastline between San Francisco bay and Puget sound.

Mr. McArthur points out that the preliminary looking to the location of the project will require much time and that before the appropriation is exhausted another bill will be available. The bill will be reported to the full membership of the committee on naval affairs on Monday and will be before the house later in the week.

CASE WILL BE DROPPED

Prosecution of Mrs. Emma Winifree to Proceed No Further.

SALIENT, Or., March 12.—(Special.)—No action will be taken by the Marion county officers with regard to the prosecution of Mrs. Emma Winifree, who is being held in jail at Oregon City charged with the theft of \$6500 from the Aurora State bank, according to an announcement made here today by Max Gehlar, district attorney.

District Attorney Gehlar said that he had communicated with the officials at Portland and Oregon City and had reached the conclusion that Mrs. Winifree was not wholly responsible for her acts, and that nothing would be gained by sending her to the state penitentiary. The district attorney also was advised by the officials of the bank that they did not desire to prosecute the woman, and that they had recovered practically all of the funds taken from the institution.

TIMBER DEAL REPORTED

Leads-Malone Company Buys M. J. Kinney Holdings.

ASTORIA, Or., March 12.—(Special.)—The Leads-Malone Logging company, which recently paid \$50,000 for the F. N. Mooers 142-acre timber claim in the upper Lewis and Clark river district, is reported to have acquired the bulk of the M. J. Kinney holdings in the same section. The Kinney tracts contain approximately 30,000,000 feet of fir and spruce, and the price paid is said to be \$5 per thousand feet. This timber adjoins the Merrill and other tracts on which extensive logging operations are to be started immediately.

DEMPEY'S EX-WIFE BEFORE GRAND JURY

"STARTLING DISCLOSURES" MADE, SAYS ATTORNEY.

Mrs. Maxine Wayne Voluntarily Goes With Government Agent From Tijuana, Mexico.

LOS ANGELES, Cal., March 12.—Mrs. Maxine Wayne, former wife of Jack Dempsey, heavyweight champion, was called before the United States grand jury today, after having voluntarily accompanied a federal agent from Tijuana, Mexico. It was intimated that startling disclosures would be made in regard to the circumstances of her departure across the border.

Gordon Dawson, assistant United States district attorney, said after talking with Mrs. Wayne that "Mrs. Wayne has related a startling story, and will repeat it immediately to the grand jury." He declined to discuss the matter further and Mrs. Wayne said she had been instructed not to talk.

Mrs. Wayne told newspaper men that she was ready and willing to tell anything she knew about Jack Dempsey's alleged efforts to evade the draft, her subsequent statements and retractions, her former appearances before a grand jury at San Francisco and her reasons for leaving there. She said she would be glad to detail her movements since she left San Francisco.

KNOWLES BABY ADOPTED

Final Chapter Written in Story of Unwed Mother.

BALTIMORE, Md., March 12.—Judge Stanton this afternoon granted the petition of Perley Spiker and his wife for the legal adoption of the baby of the English girl, Emily Knowles, now the wife of Guy Spiker, brother of Perley Spiker, who is the child's father. Spiker met the English girl while he was in overseas service.

Counsel for the petitioners told the court of Perley Spiker's dual relationship with the two women as the husband of one and the war-time sweetheart of the other. He said Spiker and his wife wanted to rear and educate the child, because the mother was not so financially situated as to give it the opportunities they could as Perley Spiker, the child's father, is earning \$100 a week as a steel worker. This motive, attorney said, was seconded by the fact which each of them bore for the mother of the child, when questioned by the judge, said she gave her consent unreservedly.

LOOTING FIRM IS CHARGED

President of Fisheries Company Accused of Taking \$12,204.

SEATTLE, Wash., March 12.—Harold Butterworth, president of the Salt Sea Fisheries company, today was charged with robbery and larceny by H. C. Corbett, secretary of the firm. Corbett alleged Butterworth has embezzled company securities and money to the value of \$12,204. Butterworth could not be found by officers today.

CORK CONSTABLE SLAIN

BELFAST, March 12.—Constable Scully was shot and killed at Glenmeade, County Cork last night. He was the 29th policeman murdered since January 21. Two soldiers and several civilians were killed by gangs in the same vicinity yesterday.

COURT RULES OUT WILSON DOCTRINE

Opinion of President Held Incompetent.

PLAN OF "REDS" BLOCKED

Attempt to Bring Executive Into Trial Fails.

OSTER SNEERS AT U. S.

Secretary of Communist Labor Party Holds Black Spot in Life Is Birth in America.

Whatever Woodrow Wilson might think of the ideas promulgated by the communist labor party was not competent evidence in the defense of Karl W. Oster, Fred W. Fry and Claud Hurst, accused under the criminal syndicalism act of membership in an ultra-red society, ruled Circuit Judge Morrow yesterday when he declined to permit their attorney, W. S. O'Brien, to read excerpts from President Wilson's book, "The New Freedom."

The evidence was offered on the theory that it would prove that the president of the United States endorsed principles upheld by the radicals.

"It would be deeply interesting, doubtless," dryly commented Judge Morrow, "but Woodrow Wilson's opinions are not competent as evidence in the case at issue. He does not mention the communist labor party in this book, and if he did his opinion of the merit of the party's aims could not be received as legal evidence."

Prosecution Rests.
The prosecution in the first case to be tried in Oregon under the criminal syndicalism act closed yesterday morning and the defense opened. Acute throat trouble was given by Mr. O'Brien, counsel for the defense, as reason for a plea for early adjournment yesterday afternoon. The case will not be resumed until Monday morning.

There are 103 exhibits in evidence to support contentions of the prosecution, largely radical literature seized in a raid on the communist labor party hall, Second and Alder streets, by federal and police officials, January 2, 1920. I. W. W. propaganda also has been introduced, as an endorsement of the work of I. W. W. is given in the platform and programme of the communist labor party. The collection, locked in courthouse vaults over the week-end, is said to be one of the most authoritative and complete on the Pacific coast.

Sneers at United States.
"The one black spot in my record is that I was born in the United States!" Oster, state secretary of the labor communist party, thus sneered at the land of his birth when asked by Elton Watkins, former assistant United States attorney, where he was born, according to the testimony of Watkins, which concluded the case of the prosecution. Disparaging remarks about the American government, while in Mr. Watkins' office, had prompted (Continued on Page 2, Column 1.)

PACIFIC UNIVERSITY ORATOR WINS CONTEST

FRED COLEY PLACES FIRST IN INTERCOLLEGIATE SPEAKING.

W. T. Black of Agricultural College Is Second With "Camel's Nose in America's Tent."

PACIFIC UNIVERSITY, Forest Grove, Or., March 12.—(Special.)—Fred Coley of Pacific university won first place in the Oregon intercollegiate oratorical contest held here tonight. His oration was entitled "Call No Man Common."

Second place went to the representative of Oregon Agricultural college, W. T. Black, whose subject was "The Camel's Nose in America's Tent." Irwin McSherry of McMinnville college took third place with his oration on "The Impeachment of Bolshevism." John Bridges of Eugene Bible university took fourth place, his subject being "Yesterday's Heroes Forgotten Today."

The contest was held in Brighton chapel. The judges for the contest were: Composition, Professor H. P. Merriam of the University of Montana, Professor Irving E. Miller of Washington State normal and Dean Charles R. Priest of the University of Washington. Delivery, R. N. Hurdman, Rev. Joshua Stansfield and Attorney Frank A. Hilton, all of Portland.

The association held a business session in the afternoon and elected the following officers for the year: John Bridges, Eugene Bible university, president; Paul Elliott, Pacific college, vice-president; Francis Taylor, Pacific university, secretary; Paul Patterson, University of Oregon, treasurer. The contest next year will be held at Eugene Bible university.

Immediately after the contest the orators, judges and delegates gathered in the gymnasium for the annual banquet of the association. W. T. Black, principal of James John high school, Portland, acted as toastmaster.

The oratorical contest was well attended, McMinnville college especially sending a large delegation. Miss Dorothy Jane Fall, Pacific university, president of the oratorical association, presided at the banquet. Mrs. Virginia Spencer Hutchinson, who read a group of songs, accompanied by Miss Emma Taylor, Miss Allen Hoffman of Forest Grove gave a piano solo. Other numbers were furnished by the P. U. male quartet.

The representatives of the other colleges in the contest and their subjects were: Williams university, Paul White, "Americanization"; Pacific college, Chid Phil, "Coral Pleads for Freedom"; Oregon normal school, Arline Bunch, "Applied Democracy"; Pacific university, Harry Romig, "Individualism in Industry."

DAVID WARFIELD HURT

Actor Has Leg Broken When Struck by Automobile Truck.

LOS ANGELES, Cal., March 12.—David Warfield, the actor, was struck by an automobile truck here late today and sustained a broken left leg and lacerations of the nose and lips.

At the receiving hospital, where Mr. Warfield was taken, it was said it had not been determined whether there were internal injuries.

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DARING ROBBERS DEFY THOUSANDS

Jewelry Stores on New York White Way Raided.

THROGS ARE HELD AT BAY

Pedestrian, Attempting to Interfere, Is Shot.

POLICE RESERVES CALLED

Broadway Thrown Into Great Excitement by Search for Two Trios of Masked Men.

NEW YORK, March 12.—While Broadway tonight was crowded with theater-goers three armed men smashed in the window of a jewelry store at Thirty-seventh street. They kept the crowds at bay with revolvers until they had emptied the contents of several trays into their pockets and escaped, shooting one pedestrian who attempted to stop them.

A few minutes later three men entered another Broadway jewelry store a few blocks uptown, and after throwing pepper in a clerk's eyes, grabbed some trays of jewelry and ran from the store. Two men, alleged to be members of the trio, were arrested by the police after a chase.

Both robberies, committed in the heart of the "white light" district, were witnessed by thousands of persons.

Police Reserves Called.
Broadway was thrown into the greatest excitement as police reserves arrived on the double quick, and, working on the theory that the robbers were committed by two different bands, raced up and down side streets and scoured the subway for the four missing bandits.

Proprietors of the two stores estimated that thousands of dollars' worth of jewelry had been stolen.

In addition to the pedestrian shot, but not seriously injured, one other member of the crowd succeeded in getting his fingers on a fugitive. He was rewarded by a crack on the wrist from a revolver butt which caused his arm to fall helplessly to his side.

Great Daring Is Showed.
The first robbery, in which Schwartz Bros were the victims, was sighted near the intersection of White and Rivington streets, where the robbers, one of the bandits slipped an iron bar through the handles of the door so that it could not be opened from the inside. Then a brick wrapped in cloth was hurled through the window.

FRENCH SAID TO PROTEST

Rumored President Wilson's Statement Causes Resentment.

WASHINGTON, March 12.—State department officials refused today to deny or confirm published reports that France had protested to the American government against President Wilson's statement in a recent peace treaty letter to Senator Hitchcock that "A militaristic party, under the most powerful leadership, was now in control in France."

In some official and diplomatic quarters it was suggested that had the French government taken cognizance of the president's statement, its communication would be in the form of an inquiry rather than a protest.

45,000 BUGS BRING \$500

Washington State College Gets Big Insect Collection.

CHICAGO, March 12.—A collection of 45,000 insects, representing 68 years' search in the United States, Alaska and Mexico by the late Oliver S. Westcott of Chicago, has been sold to the State College of Washington at Pullman for \$500. It was learned today.

Mr. Westcott estimated the value of the collection at not less than \$10,000, according to great-grandson, Charles Westcott. The collection also contains snakes, reptiles, fish, mollusca, shells, corals and fossils.

SHERIFF WEDS QUIETLY

Grays Harbor Official Takes Assistant Postmistress as Wife.

ABERDEEN, Wash., March 12.—(Special.)—Sheriff Jeff Bartlett, despite the many duties of his office during the rush period of the I. W. W. trial, still found time to slip away to Olympia and there wed Mrs. Rose Lee, assistant postmistress.

The sheriff and his bride evidently were of one mind about keeping the matter quiet, as the event happened two weeks ago, and friends only learned it yesterday. When they did learn, however, there was a charivari of the ancient and approved kind.

IF THEY WANT HERBERT HOOVER TO EAT THEY WILL HAVE TO BRING IT OUT ON A PLATTER.



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