

CABINET PROBLEM WORRIES LEADERS

Harding Urged to Close and Announce List.

APPARENT DELAY DISLIKED

Fear of Unfavorable Public Impression Felt.

HOOVER SEEMINGLY OUT

Opposition Noted, but Prudent Party Leaders Would Welcome ex-Administrator as Asset.

BY MARK SULLIVAN.

Copyright by the New York Evening Post, Inc. Published by arrangement.

WASHINGTON, D. C., Feb. 10.—(Special.)—The republican leaders view this beginning of the last lap of Harding's cabinet-making with some concern.

The causes of their apprehension are related chiefly to the public impression that may be made by the names as finally selected, by the manner of the selection, by the selecting of some men and the apparent turning down of others.

Harding has been strongly advised that, due to the manner in which news of the cabinet-making reaches the public, an impression of indecision may be created. He has been advised either to close the list and announce it at once or make a public statement that the list is complete, even though he should not announce it until March 4.

Quite apart from the public impression, what is called "the trial balloon" method of selecting a cabinet—the putting up of names to be shot at—has caused distaste on the part of some of the targets, some of whom have survived while others have either fallen out of the race or taken themselves out of it.

HOOVER WOULD BE ASSET

Not all the leaders deplore the likelihood that Hoover is to be omitted from the cabinet. A few are aggressively opposed to him. But the bulk of the more prudent ones are eager for the party to have the great asset of public favor which Hoover's presence in the cabinet would be.

It is true that the omission of Hoover superficially seems a present likelihood, but it is by no means a certainty. Harding has clung tenaciously to the idea of taking Hoover in, and no suggestion of any alternative to Hoover as secretary of commerce has ever emanated from Harding personally.

Hoover himself is understood to have preferred the interior department, but it is apparent that Harding's thought of him has been in connection with the commerce department.

Leaders Getting Uneasy

The present putting forward of John Hays Hammond for this department comes from a very small group of leaders close to Harding who have all along opposed putting Hoover in the cabinet. As the time grows short they have become alarmed at the lack of any alternative name for the commerce department in Harding's mind.

Hammond's name is now put forward on the familiar political axiom that you can't beat some one with no one. Another omission from the cabinet slate as it now stands which troubles the more prudent party leaders is that of ex-Senator Sutherland of Utah. In the early stages Sutherland's name appeared frequently in connection with both the attorney-general's office and the interior department. Then for a time, the inner gossip said that Sutherland was to be named for the supreme court.

There is much nonsense about this. For months it has been said that Harding will have four vacancies in the supreme court to fill. Ex-President Taft started it in an article he wrote during the campaign when he asked whether the public would prefer that Harding should fill these vacancies or that Cox should do it. Cox promptly took the argument up, reversed it and made frequent use of it during the campaign.

VACANCIES YET UNCERTAIN

There is little or nothing in it. Harding may as likely have no supreme court vacancies at all to fill as have four. The terms of justices of the supreme court do not come to an end automatically at any fixed time.

It is true that four of the justices have fulfilled the conditions under which they can retire if they wish to do so. These conditions are that they shall have reached the age of 70 and shall have served as a justice for at least ten years. The four are White, Holmes, Day and McKenna. But all four are in normal health and are not oppressed by their work. The oldest of the court is Holmes, and, in an intellectual sense, he must also be called the youngest.

All this speculation about mandates for appointment to the supreme court is wide of the mark, is in bad taste, certainly, and of doubtful public usefulness as well.

THE LATEST SUGGESTION ABOUT SUTHERLAND

is that if omitted from the cabinet, he could be put in the office that is essentially the most important purely legal office in the administration, namely, that of solicitor-general. The duty of this official is to act as counsel for the government in law.

(Concluded on Page 3, Column 1.)

ALLEGED EMBEZZLER OF ONTARIO ARRESTED

ALVIN C. L. CHANCE CAUGHT AT LONG BEACH, CAL.

THOUSANDS OF DOLLARS OF BOISE PAYETTE LUMBER COMPANY SAID TO HAVE BEEN JUGGLER.

VALE, Or., Feb. 10.—(Special.)—Alvin C. L. Chance, wanted on a charge of embezzlement of funds of the Ontario branch of the Boise Payette Lumber company, was arrested yesterday morning at Long Beach, Cal., according to word received here.

Sheriff Nee of Malheur county, has left to bring Chance back to Vale for trial.

Chance is said to have agreed with the California officers to waive any extradition fight, but in order to be prepared to bring the alleged embezzler back without trouble should he change his mind, District Attorney Lytle prepared extradition papers and armed the sheriff with them before he left.

On January 1 of this year Chance is alleged to have embezzled funds to the amount of several thousands of dollars from the Ontario branch of the lumber company and disappeared.

Chance is said to be an ex-convict of the Kansas state prison where he was sentenced to a term on practically the same charges he will face in Malheur county. He was paroled before his Kansas term expired.

FOREIGN TRADE PROMOTED

New Financing Corporation Outlines Plans and Purposes.

NEW YORK, Feb. 10.—Announcement was made today at the offices of the committee on organization of the foreign trade financing corporation here that committees for the distribution of its stock were being organized in 64 reserve cities.

John McHugh, chairman of the organization committee, in a statement, said:

"This corporation is being formed to finance the purchase of American goods in every part of the world and not, as some people infer, in Europe alone. The whole purpose is to facilitate American shipments to customers abroad whose credit is sound and who will provide a guarantee for the repayment of funds advanced them."

LOSS HELD EXAGGERATED

Storm Damage to Olympic Timber Thought Overstated.

TACOMA, Wash., Feb. 10.—(Special.)—Tacoma lumbermen believe the estimate of \$100,000,000 timber loss by storm on the Olympic peninsula has been exaggerated greatly. While they admit that the damage there was heavy, they say the figure set appears to be excessive.

"While I have no figures other than those reported yesterday," said George S. Long, vice-president and general manager of the Weyerhaeuser Timber company, "I believe it will be found that the loss is not as great as estimated. While heavy damage was done, it takes a vast quantity of timber to show a value of \$100,000,000."

DELIVERY MAN KILLED

Lawrence Boulet of Malone Dies Under Overturned Auto.

ABERDEEN, Wash., Feb. 10.—(Special.)—Lawrence Boulet, truck driver for the Vance Lumber company grocery store at Malolo, was killed near Elma Wednesday afternoon when the truck which he was driving overturned, crushing him beneath it.

Boulet was making his usual daily route delivering groceries in company with H. H. McClure, when in some way the truck ran off the road and overturned.

McClure and two boys riding in the back of the truck were not injured. Mr. Boulet leaves a widow, formerly Miss Mabel Lemon of Porter, and two small children.

BILL BLOCKS IMMIGRATION

Montana Measure Seeks to Keep Water From Washington Project.

HELENA, Mont., Feb. 10.—Following up his resolution introduced early in the legislative session, opposing use of the waters of Flathead lake on the Columbia basin irrigation project, in the state of Washington, Senator Pauline of Flathead county today introduced a bill in the senate declaring the waters in the state belong to the state, to be held in trust for its citizens.

The bill prohibits the diversion, control or impounding of waters when the water is to be used elsewhere than in Montana.

AMERICAN RIGHTS UPHELD

Government to Back Building of Radio Plant at Shanghai.

WASHINGTON, D. C., Feb. 10.—The right of the American Federal company to construct a wireless plant at Shanghai will be supported by the United States government, it was learned today at the state department, where it was said the question had been taken up with the British government.

The department has advised Minister Crane of the steps taken to safeguard the American concern's contract.

AUTO TAX BASED ON WEIGHT URGED

New Motor Vehicle Code Introduced in House.

TRUCK LOADS FACE LIMIT

Joint Roads and Highway Committee Reports.

WIDTH ALSO REGULATED

Eight Feet Provided as Maximum. Luggage on Sides of Passenger Machines Restricted.

STATE HOUSE, Salem, Or., Feb. 10.—(Special.)—A new motor vehicle code, embodying new license schedules for passenger automobiles based on weight of the machines and new license rates for automobile trucks based on width of tires, together with many changes in the present code, was introduced in the house by the joint senate and house roads and highway committee today.

The new code has embodied many of the changes approved at the joint conference held in Portland recently between the secretaries of state of western states and legislators.

New Fees Are Provided.

The rates provided in the new code for motor vehicles other than trucks or trailers having a maximum capacity of one ton or more are as follows:

Weighting 1600 pounds or less, \$15.
Weighting more than 1600 pounds and not more than 2000 pounds, \$20.
Weighting more than 2000 pounds and not more than 2400 pounds, \$25.
Weighting more than 2400 pounds and not more than 2800 pounds, \$30.
Weighting more than 2800 pounds and not more than 3200 pounds, \$35.
Weighting more than 3200 pounds and not more than 3600 pounds, \$40.
Weighting more than 3600 pounds and not more than 4000 pounds, \$45.
Weighting more than 4000 pounds, \$50.

Provision is made in the code for a license fee of \$3 a year for motor bicycles, \$5 a year for motorcycles and \$1 a year for motorcycle with side cars.

Fractional Fees Possible.

If registration of the motor vehicle is made after July 1 of any year, the owner will be required to pay only one-half of the regular fee and if registration after October 1 of any year only one-fourth of the regular fee will be required.

Much of the code is devoted to the regulation of motor trucks using public highways in Oregon. For instance, there is a provision in the code which limits the width of any motor vehicle.

(Concluded on Page 3, Column 1.)

OUSTER OF TROUBLE MAKER IS APPROVED

WILSON INDORSES REMOVAL OF NAVY OFFICIAL.

Lieutenant-Commander Boucher Accused of Variety of Offenses While in Service.

WASHINGTON, D. C., Feb. 10.—President Wilson today approved the dismissal from the navy of Lieutenant-Commander Creed H. Boucher of San Francisco, formerly assistant to the naval governor of Samoa.

Boucher was charged with a variety of offenses, among which were intoxication while on duty, conduct unbecoming an officer, disrespect to his superior officers and falsehood. He was also accused of disrespect to the president and to the secretary of the navy, but the court did not rule on these charges.

The Boucher trial grew out of a controversy between the accused officer and his superior, Commander W. J. Terhune, naval governor of Samoa. Boucher made charges of inefficiency against Terhune and other officers, and Secretary Daniels sent a court of inquiry to Samoa to investigate.

Before the court arrived at Samoa Commander Boucher recommended the latter's arrest and trial.

Boucher also was accused of inciting natives to unrest and conspiring with native chiefs. A civilian named Green, involved in the affair, was deported from the island.

BOY-ED WEDS AMERICAN

Daughter of Episcopalian Bishop Bride of German Plotter.

LANCASTER, Pa., Feb. 10.—Virginia Mackay-Smith, daughter of the late Bishop Alexander Mackay-Smith of the Protestant Episcopal diocese of Pennsylvania, and Captain Karl Boy-Ed, former German naval attaché at Washington, D. C., were married today in Berlin. A cablegram to this effect was received from the bride's mother by friends here.

Miss Mackay-Smith and her mother left their home in Washington, D. C., last night for Germany.

Miss Mackay-Smith and Captain Boy-Ed had been reported engaged several times, but each time it was denied. The first report was circulated shortly before Captain Boy-Ed and Captain von Pape were recalled from Washington, D. C., by the German government in December, 1915, at the request of President Wilson.

The two officers were charged with having been connected with munition plots and the sending of supplies to German raiders from American ports, as well as plots with Mexico.

POLICE STATION LOOTED

Robber Forces Clerk Into Vault and Escapes With \$150.

BLACKFOOT, Idaho, Feb. 10.—A lone masked robber held up the police station tonight, forced the city clerk, who was on duty, into a vault and robbed the office of \$150.

Firemen in the station adjoining the police station heard the imprisoned clerk tapping on the vault walls and rescued him.

BILL HAYWARD WEDS LANE COUNTY GIRL

MARRIAGE TO MISS BERTINA ORTON ANNOUNCED.

Wedding of Athletic Trainer Said to Have Taken Place at Kelso, Wash., Last Saturday.

EUGENE, Or., Feb. 10.—(Special.)—W. L. Hayward, famous athletic trainer at the University of Oregon, and Miss Bertina Orton of this city were married quietly at Kelso, Wash., last Saturday according to announcement made by Mr. Hayward here tonight. They will make their home in this city.

Mrs. Hayward, who had been in the employ of the Standard Oil company in Portland, was transferred to the Eugene office a short time ago. She is expected to arrive here tomorrow or the next day. Mrs. Hayward is a native of Eugene, a daughter of Mr. and Mrs. B. E. Orton, members of prominent pioneer families.

"Bill" said tonight that he did not intend to make a secret of their marriage but had planned not to announce it until Mrs. Hayward arrived from Portland.

CREDIT FOR REDS URGED

Extensive Trade With Russia Held Otherwise Impossible.

WASHINGTON, D. C., Feb. 10.—The American government must extend credit to Russia if extensive trade with the bolsheviks is desired, Arthur Bullard, chief of the state department's Russian division, declared today before the house foreign affairs committee.

Attempts of private agencies to finance trade relations have failed, he added, and will continue to fail until governmental assistance is extended.

U. S.-GERMAN DEAL URGED

Purchase of Cables and African and Pacific Colonies Proposed.

WASHINGTON, D. C., Feb. 10.—Purchase by the United States of all German cables and South African and Pacific colonies was proposed in a resolution introduced today by Senator France, republican, Maryland.

The resolution suggested \$5,000,000 as the consideration to be credited against the indemnity imposed upon Germany. Senator France also proposed an international conference to fix Germany's indemnity at \$15,000,000,000.

WOMEN'S BUSTS ACCEPTED

Suffragist Statues to Have Place Under Capitol Dome.

WASHINGTON, D. C., Feb. 10.—The congressional joint committee voted today to accept the marble busts of Susan B. Anthony, Elizabeth Cady Stanton and Lucretia Mott, tendered by the women of America.

They will be placed in the rotunda for formal ceremonies of presentation and acceptance February 15 and later set in their permanent location under the capitol dome.

CUPPER, BURDICK SWAP INVECTIVES

What's Behind Irrigation Bill? Asks Engineer.

PRIVATE BUSINESS SCENTED

Better Tend to Own Work, Is Representative's Reply.

PAPER HELD MUDSLINGER

Press Story of Company Being Back of Bills Assailed—Show-down Is Due Today.

STATE HOUSE, Salem, Or., Feb. 10.—(Special.)—The irrigation fight has been set as a special order of business for 3 o'clock Friday afternoon. All day both factions have been receiving telegrams of support and Messrs. Burdick and Gallagher, who are backing the two house bills, have been accumulating their ammunition.

Representative Kay is expected to be one of the principal opponents with probably Mr. Sheldon and Mr. Carner in the reserve lines.

Mr. Burdick and Mr. Gallagher have explained that when they have made their arguments for the bills, they will abide by the decision of the house.

Friends of Percy Cupper, state engineer, who would be shunted out of this position to the state land board in one of the bills, have expressed confidence that the bills will be passed by the house, or should they be killed in the senate.

Opponents Issue Statements.

Today Mr. Cupper issued a statement to the press and Mr. Burdick answered it.

Following is Engineer Cupper's announcement:

"Representatives Gallagher and Burdick have been accused by the press of representing the Warren Construction company in the preparation of house bill No. 178, which is calculated to oust the state engineer from office. At a meeting held by the house irrigation committee Tuesday night Mr. Gallagher admitted, under pressure, that not a single constituent in his district was supporting the measure, and declared that he did not know where the bill came from, but that Mr. Burdick had handed it to him. Under the parlance of today, this would probably be called 'passing the buck.' On receipt of the 'buck,' so to speak, Mr. Burdick was forced to make practically the same admission.

Knowledge Is Demanded.

"The people of the state of Oregon are entitled to know who is behind this measure. Gallagher and Burdick are entitled to be exhorted from the charge of misrepresenting their constituents and to have the facts brought to light. It would seem, therefore, that the Gallagher resolution providing for the investigation of the state engineer's activities with respect to irrigation districts should include also provision for the investigation of Mr. Gallagher's and Mr. Burdick's activities in this connection.

"The state engineer welcomes an honest inquiry into his past work as the state engineer's office, of which he is justly proud, and if Mr. Gallagher and Mr. Burdick are as absolutely right as the state engineer knows he is, they will not object to such an investigation. The house of representatives owes it to itself and to the people of the state to determine and present the facts."

Burdick Replies.

Mr. Burdick's reply said:

"My attention has been called to the statement which the state engineer issued today for the press, and I feel it my duty to make a few short statements which in themselves should be self-explanatory and place the minds of the public and the members of the house and senate who read his statement in a condition where they may consider the facts, which I hope to have the privilege of presenting on the floor of the house tomorrow in a fair and unprejudiced manner.

"Mr. Cupper opens by insinuating that I am representing the Warren Construction company in this fight, as indicated by what he terms 'the press.' I am unable to find any such statements in any of the papers, except from material put forth by the Portland Telegram. I think anyone will agree that the time is not here that the Telegram can be truly considered 'THE press of the state.'"

Telegram's Action Scored.

"In fact, the public has been obliged to read enough maliciously false statements and persecution in the Telegram during the last few years. I am sincere in saying that I regret that the gentlemen in the office of state engineer feel obliged to here insert in his contention and opposition to the bill, to leave his office and form the material for the misrepresentation and mud-slinging which is always the lead with the Telegram during the session of the legislature.

"I will have something further to say about that later. Anyone will recall further than this the success that the Telegram has had in the past in trying to further its own selfish

(Concluded on Page 3, Column 1.)

HOUSE TO ASK PROBE OF BERGDOLL'S ESCAPE

KAHN SAYS EVIDENCE INDICATES NEED OF ACTION.

Investigation to Expose Influence That Unlocked Treasury When Gold Was Being Conserved.

WASHINGTON, D. C., Feb. 10.—After developing some high spots in the case of Grover C. Bergdoll, the house military committee decided today to ask congress for authority to find out how the rich draft dodger escaped from a military guard and went to Germany, the country he had refused to fight.

Chairman Kahn announced tonight that enough Bergdoll had been developed to indicate the necessity of action. Recent statements cabled from Germany by Bergdoll prompted the committee to renewed effort, in view of his charge that he had obtained from the treasury department and concealed in the woods \$100,000 in gold to be used in effecting his release through bribery of government officials.

The committee will seek to ascertain what influence enabled Bergdoll to obtain so much gold from the treasury when the supply was being conserved. The more important thread to be followed, members said, was the ability of the prisoner's lawyers to obtain his release under guard to go into the hills of Maryland to dig up his gold.

It was while he was out on this chain that Bergdoll, stopping in Philadelphia to visit his mother, indicated to high officials of the war department had been corrupted, he said he was equally positive that the draft dodger had not escaped through political influence.

Describing the legal tactics of the ex-prisoner's mother, Mr. McAvery indicated a Philadelphia lawyer, who indicated to a supreme court problem, could not satisfy the woman who constantly traded one attorney for another. After Mrs. Bergdoll had paid out \$12,500 in fees she quit, he said, and left Grover alone with his plan of buying his freedom.

From Mr. McAvery the committee obtained a statement as to disposition of the \$12,500. Five thousand, he said, went to Samuel T. Ansell, ex-judge-advocate-general of the army; \$5000 to Gibboney; \$1250 to ex-Judge Westcott of Pennsylvania; a little to an alienist and a little less to a lawyer in New York.

AMBASSADOR BREAKS RIBS

David R. Francis Injured by Fall at Home as St. Louis.

ST. LOUIS, Feb. 10.—David R. Francis, American ambassador to Russia, suffered two broken ribs when he fell at his home here, it was learned today.

Physicians attending him said he was improving.

INDEX OF TODAY'S NEWS

The Weather.

YESTERDAY'S—Highest temperature, 58 degrees; lowest, 36.
TODAY'S—Rain; southwesterly winds.

Foreign.

German financiers induce issue of gold mark certificates to pay war debt. Page 3.

National.

Party leaders concerned over make-up of Mr. Harding's cabinet. Page 1.
President approves dismissal from navy of Lieutenant-Commander Boucher. Page 1.
Coley declines to tell senate of treaty negotiations with Japanese. Page 2.
Holding awaits McNary conference on Chamberlain ship board appointment. Page 2.
Dramatic immigration bill reported favorably to senate. Page 15.
House to ask probe of Bergdoll's escape. Page 1.

Domestic.

Railroad labor board decides national emergency shall remain in force. Page 2.
Non-partisan league says power given people in Ohio. Page 3.
Tornado kills 32 and razes wide area at Oklawaha. Page 3.
Bryan says voters must save party. Page 2.
Kansas City police hurry underworld. Page 3.

Legislative.

New auto license code is presented to legislature. Page 1.
House votes today on tax commission. Page 1.
Hume and Moser go to mat over tenure. Page 6.
Bill would require posting of marriage banns. Page 1.
Senate of Idaho passes tax relief measure. Page 7.
Joint state action to solve Columbia river fishing problems proposed. Page 7.
Road legislation in steam center. Page 8.
Cupper and Burdick exchange invectives in irrigation bill fight. Page 1.
Oregon lawmakers face necessity of further cutting appropriations. Page 14.

Pacific Northwest.

A. C. L. Chance, alleged embezzler of Ontario branch of the Boise Payette Lumber company, was arrested at Long Beach, Cal. Page 1.
Bill Hayward, University athletic trainer, weds Eugene girl. Page 1.
Commerce beaten by Franklin 44 to 9. Page 13.
Sure-shel Williamsette five plays Multnomah tonight. Page 12.
Aggie basket tossers to invade fair of varsity. Page 10.
Fowler has tough rival in German in fight tonight. Page 12.

Commercial and Marine.

Wheat averages lower in Chicago market. Page 21.
Large deal pending for sale of Oregon wool. Page 21.
Copper shares strong feature of Wall street market. Page 20.
Federal bid to deliver foreign shipping rates before Portland dock commission. Page 20.

Portland and Vicinity.

Armenian Joan of Arc brought to America by brother of Mrs. H. O. Cartman of Portland. Page 10.
Homes in Williamsette Heights district mortgaged by aided. Page 22.
1923 exposition to be incorporated today at Salem. Page 11.
Morris and Ellis arrested on fraud charges brought in secret indictments. Page 22.
Legion warns idle not to come to Portland. Page 14.
School board picks site for James John high school. Page 4.

TORNADO KILLS 32, RAZES WIDE AREA

Gardner, Ga., Wiped Out; Bodies Flung Far.

ONE BOY IS DECAPITATED

82 Children in School That Is Torn to Pieces.

ONLY ONE IS INJURED

Some Victims Are Found Strung in Field in Semirecure With Living Goat in Center.

OCONEE, Ga., Feb. 10.—A tornado that struck the Gardner settlement, one mile from here, shortly after noon today, brought death to two white persons and nearly 30 negroes, and serious injury to five white persons and more than a score of negroes.

Territory extending almost to Toombsboro, nearly five miles long and about a half mile wide, was left barren, not a building or tree standing.

Among the dead were Benjamin Orr, 14, who was decapitated. The other white person who met death was the 3-year-old daughter of E. L. Minor, manager of Shepherd's commissary at the plant of the Cleveland-Oconee Lumber company.

Eighty-two children and three teachers were in a school building near the Gardner settlement when the tornado struck. The building was twisted to pieces and the fragments scattered for miles.

Wind Picks Up Children.

Children were picked up by the wind and carried for some distance but it was announced that only one was seriously injured. Approximately 40 houses were blown down in the settlement. The Shepherd brothers' commissary at the big lumber plant was reduced to kindling wood. Orr and four negroes met death there.

Ten feet away the general office of the lumber company was untouched. The 15-acre plant of the company was not seriously damaged, although millions of feet of lumber were scattered.

Negro houses and stores faced the tracks of the Savannah division of the Central of Georgia railroad. In the rear of the houses was a field, extending nearly a mile from the Oconee station to the lumber mill. It was into this field that men, women and children were carried to their death from their dinner tables.

Train Hastens for Aid.