

## CUT IN MOUNTAIN RATES IS DENIED

Commission Finds Existing Tariffs Fair Enough.

## COAST FIGHTS CHANGE

Increase in Water Transportation That Will Affect Rail Lines Predicted in Decision.

WASHINGTON, April 27.—The interstate commerce commission refused today to order a reduction in railroad rates from points of origin east of the Rocky mountains to points in the intermountain territory. Complaints of business organizations and others holding that existing tariffs, which are on a parity with those to Pacific coast points, were not unduly prejudicial.

The complainants had contended for a graded reduction based on the rates to the Pacific coast, fixed so steam carriers could compete with water commerce passing through the Panama canal. The case was one of general interest, as any change would affect eastern manufacturers.

**East Also Opposes.** The proposed schedules were opposed by manufacturers and business organizations of the Pacific coast, while numerous eastern shippers and manufacturers intervened to oppose a part of the proposed changes which tended to increase rates from the east to the Pacific coast.

The commission declared its decision was not a solution, but declared discussion "should be helpful in paving the way for a final settlement."

Before the war, rates to the coast were lower than those to intermountain territory because of water competition growing out of the construction of the Panama canal. War conditions practically eliminated this competition and the commission in 1918 increased some coast rates and lowered some intermediate rates, which brought about practically a level set of rates to the two territories.

"The ships that now ply between the Atlantic and Pacific ports," the commission said, "are not nearly so numerous and the tonnage now moving is not nearly so heavy as during the period that followed the opening of the canal and preceded our entry into the war, but it is nevertheless certain that there is now sufficient transportation by water and ample indication that it will further develop and increase to warrant the belief that within a comparatively short time it will reach a point where it will be felt in a serious loss of tonnage by the rail lines unless they have available appropriate measures to meet the situation."

**Opinion Is Divided.** Shippers' organizations and manufacturers from practically every section of the country were parties to the rate case, some favoring and others opposing the application for reduced rates to the intermountain territory. Shippers and manufacturers on the Atlantic coast generally opposed any change that would affect rates to the Pacific coast. State commissions parties to the case included those of Utah, Idaho, Nevada, Montana, Indiana and Virginia.

"The rate situation is having a tendency," the commission said, "to compel the eastern industries to erect manufacturing plants and branch houses in the coast states. While this trend is naturally objectionable to established eastern manufacturers, the building up of the west as a manufacturing and primary distributing territory is not undesirable from the standpoint of public interest. We have little if any power and no inclination to adjust rates for the purpose of retarding or promoting progress and development of a particular section, but aside from any economic consideration, if water competition is to be disregarded there is much to be said in favor of increasing the differential against central freight association, eastern trunk line and New England territories."

## RESUMPTION OF TERMINAL RATE AUTHORITY IS EXPECTED

Indications are, say railroad traffic men familiar with the decision just announced, that it opens the way for the restoration of the "fourth section" authority to carriers to make terminal rates that will meet water competition through the Panama canal. It is believed the commission will favor giving back this authority to the railroads, and the lines are expected to ask it within a short time.

In fact, investigations are already under way by the rail carriers looking to the application of the restoration of former rights to the "fourth section," and it is expected all transcontinental lines will join in asking it from the interstate commerce commission.

Traffic moving through the Panama canal is being checked so that volume of movement to Pacific coast terminals by water may be known and other pertinent data are being gathered. It will require perhaps 60 days before the case of the railroads will be complete, but when the desired information is in hand the application will be filed.

## MARINE BREAK AVERTED

(Continued From First Page.)

posal for a readjustment of wages and working conditions, Mr. Brown read a resolution adopted by the engineers' wage committee, which declared that the proposed wage scale and reclassification of ships was not acceptable, although changes in working conditions were. Later he said the engineers would not accept a wage reduction.

**Abuse to Be Avoided.** Mr. Brown declared there had not been time for the men to consult together. He suggested tentatively that elimination of overtime at sea, but not in port, might be acceptable, with assurance that American citizens would get preference in employment.

Chairman Benson agreed that there should be some order retained, but asserted abuse should be avoided.

The possibility of action by the steamship owners, who had sought to effect a 20 to 30 per cent wage cut, was suggested by Mr. Thompson. The owners, he said, were ready to act tomorrow in the event no agreement was reached today. He said he would report the result of the proceedings to the association meeting in New York tomorrow.

Announcing his call for the meeting Friday, Chairman Benson said that those who did not come in a fair spirit must bear the responsibility for the results but that the board

stand on the proposed basis for a new agreement to the one expiring May 1, was unchanged.

## Cut Held Warranted.

A reduction of not less than 15 per cent of the present wage scales is the "basis on which the shipping board must stand, and will act," Chairman Benson told the conference.

Present economic conditions fully warranted a reduction in wages, the chairman declared, adding that he had weighed the matter long and carefully, taken advice freely and considered mature and well considered conclusions.

In addition to the wage reduction, the chairman declared there should be virtual elimination of overtime, discontinuance of night deck and engine room officers, a substantial reduction in the subsistence allowance and such other modifications of the working rules as would make for efficiency and economy of operation.

In making readjustments, he added, the chairman proposed to stress the return of the purchasing value of the dollar toward its normal worth as reflected in the present drop in the cost of living.

**Fairness Is Object.** "I have given much thought to this matter," he said. "I want to be fair to the interests of the men and officers, who are making our ships, to the operators and owners who are looking to the shipping board to protect their interests in the merchant marine."

Rapidly changing economic conditions resulted from the war, Chairman Benson continued, having caused a tremendous decline in ocean freight, the tying up of many ships and the employment of many men.

Six points on which the marine engineers asked favorable assurances before discussing wages in the present negotiations, were rejected by the chairman. The board, he said, could not give its consent to the abolition of the sea service bureau, which places American seamen on American ships.

"Nor can it consent," he continued, "as a government institution to points five and six involving union preference. The shipping board as a government institution must stand for that equality in its relations to the government which is guaranteed to every citizen by the constitution of the United States."

Representatives of all marine unions on both the Atlantic and Pacific coasts were invited to the conference, as well as the owners from both coasts.

## THREAT SENT TO JUDGE

Dismissal of Indictments Over Bank Failure Rescinded.

TACOMA, Wash., April 27.—Judge W. D. Askren, who Monday dismissed five indictments against Ole S. Larson, president, and Charles Drury, director, in connection with the failure of the Scandinavian-American bank, has received through the mail a threat against his life.

"Shoot straight or I will," the threat said. It was signed "Depositor" and added, "I can do better than the woman."

The woman referred to is doubtless Julia Smith, now serving a prison term for wounding Mr. Askren, then county prosecutor, last year.

## ALBERS TO GET FREEDOM

(Continued From First Page.)

the espionage act this question was raised and it was ruled that the evidence could contain utterances made before the time of the alleged crime. In the Equi case, the Riebo case and the Rhuerg case, involving this question, the same ruling was made and sustained in the higher courts. The supreme court refused to review the Equi case.

"If that is the reason why error was confessed, then the same reason would apply in every other case tried in this district. Yet every other case which was appealed was sustained by the higher courts."

Henry E. McGinn, chief attorney for Albers at the first trial, was plainly jubilant over the outcome of the case, although he was not connected with it after it had been appealed.

The government of the United States has finally done the right thing in that case," he said. "Albers was not guilty, and never should have been convicted. He was railroaded through the courts. The war hysteria was responsible for his conviction."

"The solicitor-general of the United States could not look that case in the eye without doing what he did, asking the court to reverse the decision. He is to be complimented for his action."

Judge C. H. Carey, who handled the case on appeal, is in the east and it could not be reached yesterday for a statement on the outcome of the case.

Albers himself was delighted over the decision of the court.

"It is plain justice," he said. "The action of the supreme court is no more than I had expected, for I had counted on justice. Anyone can be accused of such things, but it is another matter when such charges get into court. I was not guilty and am not guilty and I did not expect that the courts would find me guilty."

Albers was charged originally with violating the espionage act in an indictment returned November 2, 1918, by the federal grand jury. It contained seven counts. Ball was set at \$10,000. On November 30 he entered a plea of not guilty to the charges and, after several delays, the trial finally began January 25, 1919.

The trial was bitterly fought. Sentiment against Albers ran high with the publication of the charges against him, and even his counsel admitted there was small chance for acquittal, with public feeling at fever heat.

Among the remarks which Albers was said to have made were the following:

"Once a German, always a German."

"A German can never be beaten by a Yank."

"You can't lick the Kaiser in a thousand years."

"To hell with America."

"McAdoo is a —"

"I could take a gun and fight right here."

"We have won the war."

"I would give every cent I possess to beat the United States."

"I would go back to Germany tomorrow."

"I supposed this was a free country when I came here, but it's not as free as Germany."

Finally, after days of hot legal fighting, the case went to the jury, and on April 6 a verdict of guilty on two counts was returned. On March 17 a motion for a new trial was argued and every possible argument was put forth by Albers' attorneys for the quashing of the verdict. The motion was denied by Judge Bean, and the sentence of three years' imprisonment and the payment of a \$10,000 fine was passed.

The case was then appealed to the United States circuit court of appeals at San Francisco, where three justices passed upon it. The decision of the lower court was sustained, and the case was again appealed, this time to the highest judicial body in the country, the supreme court of the United States.

A decision from that body was expected in the near future, when the sudden action on the part of the solicitor-general terminated the case.

Save money by ordering coal this month. Additions—Adv.

## LABOR OF GERMANY FACES 12-HOUR DAY

Financial Writers Doubt Ability to Pay Indemnity.

## GLOOM SHROUDS NATION

Proposals to President Harding Hold Out Terrible Prospect, Says Reichstag Leader.

BERLIN, April 27.—(By the Associated Press.)—The German working man will have to become reconciled to a 12-hour day if the economic obligations involved in the German reparations counter-proposals are to be redeemed, says the Red Flag, the communist organ, today which estimates that the working hours for 15,000,000 workers will be increased by one-third or more if the nation is to raise 6,000,000,000 gold marks annually.

While the political writers were optimistic in their appraisal of the prospective outcome of the appeal of Foreign Minister Simons to President Harding, the financial writers, looking further ahead, took an extremely gloomy view of Germany's ability to carry the self-imposed burden.

## Bourse Shows Bankruptcy.

The total present bourse value of the shares of German industrial corporations was estimated by the Vossische Zeitung at eight billion marks, representing only a fraction of the amount named in the counter-proposals. The annual payments on the German offer, the newspaper stated, exceeds the present total income tax revenue.

A leading banker called attention to the state of the national exchequer, which is struggling with a current deficit of \$9,000,000,000 marks and an unconsolidated national debt of 160,000,000,000 marks, to which must be added \$9,000,000,000 marks in unrepaid war loans, and an equal amount of paper currency.

The banker declared the entente statesmen must proceed cautiously when prescribing the manner in which the German counter-proposals should be carried out if accepted, in order to prevent Germany from lapsing into the partial state of anarchy prevalent in Austria.

## Faith Placed on Proposals.

The Berlin newspapers, except the extreme conservative organs, expressed hope that the new proposals at least will form the basis for new negotiations which will preclude the occupation of further German territory.

"The apparent purpose of Germany," said the Lokal Anzeiger, "is to meet the entente demands without pledging their performance, which is impossible. All the nations have been hard hit and it is now necessary that they work together for the amelioration of conditions."

The conservative Deutsche Tageszeitung reached the conclusion that "Germany's industries are bound to be robbed, regardless of circumstances."

In debate in the reichstag today on the statement made yesterday by Foreign Minister Simons, Herr Riesser, in behalf of the center, the people's party and the Bavarian party, expressed "with heavy heart" agreement with the government in taking the path to secure President Harding's "mediation," which, he said, if obtained, would open a world prospect of peace and untrammelled development.

## Terrible Prospect Held Out.

"The proposals transmitted to Washington," continued Herr Riesser, "hold out for us a terrible prospect, but the German people are prepared to carry out scrupulously what it is possible to perform. If this attempt also fails it will go down in history that Germany did everything in her power to obtain peace for an exhausted and devastated world."

Former Chancellor Muller defended Dr. Simons, despite the protest of the national party, and aroused great excitement among the rightists by his vigorous attacks against the pan-Germans.

Dr. Helfferich, former vice-chancellor, said his party not only opposed the government's appeal to America but also the spirit which prompted it. The peace of Versailles has resulted mercilessly, he declared, "through the intervention of a man who came to Europe from America bringing a trunk filled with the most remarkable ideas regarding the reconciliation of the nations."

## CRIM FUNERAL IS HELD

Services for Widely Known Football Star of Washington.

SEATTLE, Wash., April 27.—Funeral services were held Tuesday for E. Owen Crim, widely-known civil engineer and ex-star football and crew man at the University of Washington, who died at his home here Sunday.

Crim played center on the University of Washington Pacific coast champion football team of 1903 and also played on the 1904, 1905 and 1906 teams. In 1906 he was captain of the eleven. He was a member of the 1904 and 1905 crews that won the coast intercollegiate championships. He is survived by his widow and a daughter.

## Kalamia Woman Wins Divorce.

KALAMIA, Wash., April 27.—(Special.)—In a hotly contested divorce

case, a woman here today won a divorce from her husband.

The woman, who is a native of Kalamia, was married to her husband in 1914.

The husband, who is a native of Kalamia, was married to his wife in 1914.

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suit between Verna B. Griffith and George D. Griffith in the superior court of Cowlitz county. Judge Homer Kirby granted the plaintiff her freedom, and temporarily decreed the custody of the 3-year-old boy of the couple to Mrs. Justus Murk of Woodland, Wash., \$15 a month to be paid by the father for the child's support.

## EUGENE FLIER IN FALL

Kenneth Lawrence Drops Into Bay But Is Rescued Unhurt.

SAN FRANCISCO, Cal., April 27.—(Special.)—Sergeant T. J. Fowler, San Francisco, and Private Kenneth Lawrence of Eugene, Or., observer, narrowly escaped with their lives today when an army plane from Fort Scott, from which they were observing target practice, plunged disabled several hundred feet into the sea.

The tug Barrett, attached to Fort Scott, which had been towing the target, let go of the target and sped to the aviators' rescue. Just as they swept alongside and hauled the men to safety, the plane, to which they had been clinging, sank beneath the waves. After receiving first aid, Fowler and Lawrence seemed little the worse for their experiences.

Motor trouble, according to the aviators, caused the accident. The engine suddenly went dead.

## REPEAL RAIL ACT, IS PLEA

C. W. Gamble of Boise Elected to Head Western Association in Session at Fresno, Cal.

FRESNO, Cal., April 27.—With the election of C. W. Gamble of Boise, Idaho, as president, and the selection of Salt Lake City as the convention city for 1922, the 18th annual convention of the Western Retail Lumbermen's association adjourned this afternoon. Other officers elected

were: C. E. Murphy, Salt Lake City, vice-president; A. McCuig, Spokane, and Joseph Copeland, Portland, directors; A. I. Porter, Spokane, secretary and treasurer; Mr. Porter had held this position 19 years.

**Repeal of Adamson Act Asked.** Among the resolutions adopted was one declaring that lower freight rates and efficient service are impossible until the railroads are given relief from the hampering conditions of governmental control and national agreements.

The convention urged congress to repeal the Adamson railroad act and abolish the United States railroad labor board.

Other resolutions adopted ask for the repeal of the excess profits tax, urge the reduction of high surtaxes and ask for increase of normal income tax to provide necessary income.

The association opposed a tariff on lumber from Canada, declaring it would retard building and injure the retailers and manufacturers. Congress was asked to abandon any tariff on Canadian lumber to the United States.

Another resolution urged congress to enter upon a campaign of governmental economy and to abolish federal control and regulation of business where it is not required for the public interest.

At today's session William J. Hindley, educational director of the Washington State Retailers' association, spoke on "Builders of Faith, in Age of Doubt." Four addresses were cancelled at the morning session.

## RETAIL LUMBERMEN OPPOSED TO TARIFF

Retarding of Building Activity Is Feared.

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