

J. H. ALBERS, RICH

War-Time Offender Passes at Milwaukie Home.

PARDON OFFER REVEALED

Blindness, Paralysis, Mental Derangement and Expulsion From Lodge Results in Death.

(Continued From First Page.) Brothers Milling... was involved in his indictment and then, October, 1918, the fortunes of Henry Albers changed; his name became a by-word for the war-time times; he was tried and found guilty of violating the espionage act.

Kaiser's Victory Predicted. Returning from San Francisco in an intoxicated condition, Albers was filled with more liquor by a group of men in the Pullman smoking compartment. He was led to talk of the war, and he said the Kaiser would win. He said other things of similar effect, and the smoking compartment ground-floated them down. For these utterances he was indicted. Conviction followed, with the usual fine and sentence at McNeill's Island and a heavy fine. Being of German birth and, at the time, wealthy, Albers found the tide of public sentiment sweeping irresistibly against him. His case became the more prominent from the fact that Dr. Marie Knoll, a radical, had a short time prior been convicted of disloyal utterances and she had been defended by the leading I. W. W. attorney, and her trial was attended by special writers of the radical publications of America.

The class issue was raised and the belief that Albers was very rich and constant reference to him as a "millionaire" aided in turning popular sentiment against him. After his conviction Albers appealed to the United States court at San Francisco, which confirmed the decision of the lower court. Albers then made an appeal to the United States supreme court, the court of last resort, as Dr. Equi had done.

Error is Confessed. Solicitor-General Frierson "confessed error," saying that evidence had been introduced against Albers which was not permissible. This raised anew the demand for Albers' punishment. The Oregon Bar association protested, and so did the American Legion. United States Senator McNary appeared before the supreme court in behalf of the bar association, but the supreme court announced the Albers matter was not before it.

Then for Albers one grief did tread upon another's heels, so fast they followed. The Elks cast him forth. This blow cut him to the quick. For nearly three years Albers had been under a mental strain and this act of his fraternal "brothers" appeared to be the last straw, the capstone to his afflictions. He was a broken man, broken in spirit, and the physical collapse with its successive chapters of attack brought him to the grave. Came first a stroke which paralyzed his side; came blindness.

While helpless and blind in his home at Milwaukie Albers did not know that at Washington an order had been issued to the United States attorney for "further proceedings." The government was planning another trial. Mental derangement, cerebral hemorrhage visited Albers on his deathbed and yesterday came the end.

Liquor Marks Turning Point. The life history of Henry Albers affords material for a realistic novel. And the turning point that was liquor on the Pullman sleeper. Albers is survived by three brothers—William of Portland, George of Seattle and Frank of San Francisco and a sister, Bernice, Berkeley of Milwaukie. Arrangements for the funeral have not been made.

Judge Charles H. Carey issued the following statement in his court: "The death of Henry Albers was not unexpected, and in a sense it may be deemed a happy release from his troubles. There can be no doubt that his death was hastened by his misfortunes, particularly his expulsion from Oregon, and the fact of which he was a life member. He felt this very keenly, deeming it unjust when his case in court was being tried. He was then nearly blind and was in failing health. A stroke of paralysis and hemorrhage in his brain three weeks ago indicated that his end was near at hand.

"I realize that popular opinion had already condemned him and that if he had lived to be tried again a jury of unprejudiced men would have been hard to find, since his case was so generally discussed throughout the state. And yet, I am satisfied that he was not guilty of the crime with which he was charged and that he would have been acquitted. The attorney-general's statement at Washington, who studied the evidence produced upon his former trial, were convinced that he was irresponsible with drink when he uttered words for which he was indicted, and they offered him a complete pardon that would rectify his innocence. It was afterward found impracticable under the rules of the department to furnish this before the supreme court acted upon his case, but I have no reason to doubt that the attorney-general would have seen to it finally that Albers would not be punished if there was no more evidence produced against him that appeared in the record of his former conviction.

Weight Blamed for Attacks. "Albers suffered the misfortune of being supposed to be a rich man, and this undoubtedly made him a target for much unjust invective. "It was an undisputed fact that his offense was committed when he was so helpless that he was unable to put to bed by the porter of the Pullman car and the train brakeman, with all of his clothes on, even including his coat and shoes and stockings. His condition was due to the deliberate effort of a group of despicable men who took turns in filling him with liquor and inciting him to make drunken and half-unintelligible mummings which they industriously wrote down for the purpose of getting him railroaded to the penitentiary. The whole outfit had that brand of patriotism that stays at home in time of war and seeks to justify itself by framing up something against someone else to divert attention.

"One of them fraudulently pretended to have authority as a deputy sheriff, and by showing a badge made the porter hand over a traveling bag containing what was supposed to be his money. He then took Albers away when he found them playing Albers with the liquor to make him drunk. He afterward explained his purpose by saying that the only way to get a German to talk was to get him drunk.

"Albers was not charged with doing anything to help the German cause. He was not a member of any German society, nor did he contribute directly or indirectly to any German enterprise.

PRINCIPAL IN STATE'S MOST SENSATIONAL ESPIONAGE CASE DIES FOLLOWING PARALYTIC STROKE.



JOHN HENRY ALBERS.

prison, even to the extent of burying a German bond before we were in the war. He did not even take a German newspaper or associate with any disloyal persons. What he said on the occasion as charged in his indictment was uttered under circumstances that could not by any stretch of the imagination injure the cause of the United States in the war.

Citizenship Papers Taken Out. "In justice to his memory, it ought to be said that, instead of being, as many suppose, a gross plutocrat, he was a mild, kindly, modest man, a good citizen and an American from choice. He came here when he was young and as soon as he could do so he declared his intention to become a citizen of the United States. He was a full citizen for over 20 years and had no interest in Germany and no relatives there.

"He began his life here as an assistant cook and dishwasher. He was janitor and an elevator operator. Later he was a millwright, and became associated with his brothers in a small way in a feed and flour mill. The business grew by reason of hard work and long hours, and what prosperity he had was hard earned by honest toil.

"Generous and simple, he retained the regard and respect of his associates even in the time of his disgrace. During the war he gave freely of his means to every patriotic organization and aided the families of the boys who left his establishment to go to the front. He constantly advised voluntary enlistment, and always talked in favor of the United States and expressed confidence in its ultimate victory.

"I took his case after looking into the record and satisfying myself that his conviction was unjust. I prepared the appeal to the supreme court of the United States and felt confident that if that court would read the record it would dismiss the indictment. The action of the solicitor-general in confessing error resulted in sending the case back to Portland without a hearing, but in spite of popular prejudice against Albers he was entitled, to, and I feel sure would have had, a fair hearing if his case had not been ended by his death.

"He had enemies, but they were those who had never read his evidence in the case. It is but common justice for me, who am familiar with the record, to say that in my opinion the people of this state, because of law and should not have been convicted."

PHONE EVILS ADMITTED

(Continued From First Page.) man, Baker, Wasco and Multnomah counties. Mr. Taylor denied that Mr. Cousin had agitated among the farmers for the purpose of organizing the federation, but said that the rate expert representing them had been selected by a commission to prepare the case which the federation wishes to show the rate commission.

\$60,000 Expenditure Questioned. The witness said he could not understand what improvements the Pacific company had made in Corvallis which would justify the expenditure of approximately \$60,000 shown in the telephone company's exhibit in the present rate hearing. He explained that the present company had bought out the home company established by private citizens because services could not be obtained from the Pacific company.

The independent company had 75 per cent of the business in the consolidation, he testified, and when it attempted to increase its rates the Pacific company refused to increase its rates. After the consolidation, he said, the Pacific company applied for increased rates.

Witness' Statement Doubted. The witness told the commission that he had heard of many complaints on service in Corvallis, although his own service was satisfactory. Complaints had been registered to him, he said, of charges of \$2 for change of a phone already installed in a home, and Attorney Shaw questioned the correctness of that statement.

The attorney for the company told the witness that telephone rental charges are payable in advance and that the installation charge is \$1.50. It was suggested by the commission that receipts for the supposed exorbitant charge be sent to the commission for investigation.

While on this point Attorney Shaw attempted to show that actual labor performed by the company for the changing of a telephone number was such as to justify the installation cost.

TURKS' RESISTANCE BROKEN BY GREEKS

Nationalist Commander Reported Ready to Quit.

HELP OF ALLIES SOUGHT

Head of Moslem Government Said to Be Anxious to Obtain Cessation of Hostilities.

LONDON, July 27.—Mustapha Kemal Pasha, head of the Turkish nationalist government, has sent a telegram to Constantinople asking that the central government intervene with the allies in an effort to obtain a cessation of Graeco-Turk hostilities, according to dispatches from Constantinople to the Exchange Telegraph company.

ATHENS, July 26.—Information from all sources indicates that the resistance of the Turkish nationalists in Asia Minor is completely broken, the Greek official news agency declared in a statement issued here today. The Turkish losses in killed, wounded and prisoners to date are estimated at 60,000. The Greeks, the statement says, are constantly pressing the Kemalists along the road to Antalya.

Along the route of their retreat the Turks set fire to their stores, which they were unable to carry with them because of the rapidity of their flight. The Turkish losses in killed, wounded and prisoners to date are estimated at 60,000. The Greeks, the statement says, are constantly pressing the Kemalists along the road to Antalya.

CONSTANTINOPLE, July 25.—The Turkish nationalist premier, Fevzi Pasha, told the national assembly last night that, although the Turks had been obliged to yield ground before the Greek advance, the enemy suffered terrible losses. The region between Kutais and Erzurum, which recently were captured by the Greeks, was covered with thousands of bodies, he declared. The struggle, he said, was entering its final phase.

A Greek warship today approached Samsun on the south shore of the Black sea with the intention of shelling the town, but the commander of a United States destroyer lying off the coast dissuaded its commander from firing, pointing out that such action might endanger the Greek population.

Circassian bandits appeared Sunday in Karabogha on the Sea of Marmora, 25 miles east of Gallipoli, raided the town and killed the Turkish governor and commander of the gendarmerie. A British detachment assisted the Turkish gendarmes in pursuing the bandits. As a result of this incident the British are reinforcing the Dardanelles garrison.

HOUSE FAVORS FAIR HERE (Continued From First Page.) ahead. This position will solve many of our internal problems. It will give the people a great terminal point to work for, add millions of wealth to its taxable property and provide abundance of labor at a time when it is needed most.

"We will have the opportunity of a lifetime to capitalize on our social wealth, get some of the money back we spent upon our highway improvements, and make Oregon an objective point for all tourists seeking the new west beyond the Rockies. "It will take a lot of hard work and a lot of faith to put this exposition over in the right way. The men of vision can see the benefits that will accrue, and I am sure the entire northwest will prosper as the result of this undertaking.

Portland and Oregon are to be the nerve centers of this enterprise. I want to see the thinking men of the state lined up for the exposition in a big way. We have to raise our money now, out of our own pockets, and get to work on a national advertising campaign. Several plans have been offered. One of them will be adopted next week and given to the public through the press. I believe the people are ready to support the event in a substantial way. We cannot afford to do less than our individual duty. As hosts to the world we must prove that Oregon is equal to the task. I believe with the help of every taxpayer in the state, coupled with the enthusiasm and patriotism of our administration, we can present a theme that all the world will accept and come to Oregon to enjoy.

YOUTH ASLEEP 127 DAYS. LOUISVILLE, Ky., July 27.—Physicians announced that Michael Fitzgerald, 13, ill with sleeping sickness today entered upon the 127th day of his illness without a waking moment. Since March 22 he has been fed liquid food with water at intervals.

SAILOR DIES OF BURNS. HONOLULU, T. H., July 27.—Henry A. Gaddis, seaman, of Sherman, Ill., died today of burns received in a heroic attempt to extinguish a fire Monday aboard the United States steamship Rainbow. Gaddis sounded the alarm when he discovered the fire and assisted others to escape. The ship was only slightly damaged.

UNIDENTIFIED BODY FOUND. Man About 60 Years Old Believed to Have Died While Camping. MOSIER, Or., July 27.—(Special.)—While looking for the family dog Tuesday about 6 P. M., a son of Dr. W. S. Nichols and three men came upon the body of a man about 60 years old, lying on the ground with evidence of a campfire was found. Phone your want ads to The Oregonian. Main 7070. Automatic 569-25.

PARK CONFERENCE CALLED. Preservation of Washington Scenic Resources Object. OLYMPIA, Wash., July 27.—(Special.)—In a call for a conference to consider the preservation of the scenic resources of Washington, State Treasurer Babcock, chairman of the state parks committee, calls attention to the value of the scenic resources and urges all civic and commercial bodies to be present at a conference Monday, August 15, in Seattle. The meeting is to be held under auspices of the state parks committee.

Chart Still Defended. Mr. Willard still maintained that his chart was correct, inasmuch as he was trying to show the relative increase. Attorney Tomlinson entered the argument and held the chart in question as an engineering absurdity and also was emphatic in the statement that his theory was correct.

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