BACK-DATING REPEAL

Senate Committee Holds Public Was Given Pledge.

\$450,000,000 LOSS FACED

Making Excess Profits Law Change Retroactive Would Mean Big Cut in Revenues.

WASHINGTON, D. C., Sept. 6.— There is a growing sentiment in the senate finance committee to make repeal of the excess profits tax retro-active to last January I, instead of effective next January I, as provided for in the house revenue bill, Chair-man Penrose said today, in announc-ing that the committee expected to complete tomorrow preliminary con-

complete tomorrow preliminary con-sideration of the house measure. It is understood Secretary Mellon will suggest the retroactive repeal when he appears before the committee tomorrow to submit a statement as to tomorrow to submit a statement as to future government money needs. Such repeal was provided for in the tax bill, as drawn in the house ways and means committee, but republican members of the house voted in conference to postpone the date to January 1, 1922.

Members of the senate committee are understood to hold that the republican party promised to repeal

are understood to hold that the re-publican party promised to repeal this tax immediately, and that this is a settled pledge in the public mind. The same position was taken by most republican members of the house committee, but western rep-resentatives led a successful fight for retention of the tax for this year.

Big Cut Would Result. Treasury experts have estimated retroactive repeal of this levy would cut \$450,000,000 from the revenue in the next year, making the inc the basis of the house bill \$2,540,-000,000 for 1922. The house commit-tee also proposed retroactive repeal of the income surtax brackets in excess of \$2 per cent, estimated to cut an additional \$90,000,000 from the

A new feature in revenue legislation under consideration by the sen ate committee would make possible speedy refunding of taxes improperly paid. Treasury experts laye been asked to draft such a provision, Chairman Penrose said.

Other matters considered.

Other matters considered today by the committee included house provisions for taxing insurance companies; administrative provisions of the income; repeal of the transportation taxes and an additional tax of \$4.20 on alcoholic liquors withdrawn for non-beverage purposes and devoted to beverage use. So far as was made known no formal decision was reached on any of these features.

After hearing Secretary Mellon the committee expects to get down to the work of drafting a bill for presentation after congress reconvenes September 21. The house measure is to be rewritten, but to what extent changes in the levies will be altered remains to be decided.

These men reside near the Russell home.

Senator Eddy of Roseburg, as an arbitrophic in the record, Judge Bingham today set asside Judge Hamilton's previous order overruing the defense motion to quash the indictment. Another was then filed by the defense attorneys and overruied by the court. Was then filed by the defense attorney Neuner, "but we cannot find anything in the petition which would warrant taking the trial to another county. We, too, want a fair and impartial trial, but we don't want the defense attorneys flooding the record. Attorney of the court, was then filed by the defense attorneys and overruied by the court. Attorney Neuner, "but we cannot find anything in the petition which would warrant taking the trial to another voius appearance in court to plead. Interest in the case is running high here, and the courtroom had been crowded at all preliminary sessions.

WAY SEEN OUT OF WELTER (Continued From First Page.)

Senator McCormick for his con-Other Matters Considered.

BRUMFIELD HEARING HELD

hang him (meaning Brumfield) before in a criminal case.

you get him away."

Joseph Hammers

all parts of Umatilia county indicating that the prejudice was not such as to preclude the defendant from receiving a fair trial. In the case at bar the state had filed only seven affidavits, Mr. Rice said.

In view of the many published reports of the Brumfield case, the alleged veiled threats, personal discussions, editorials and other matters derogatory to the defendant, Attorney Rice said it was out of the question to obtain for his client a fair and impartial trial in Douglas county.

Transfer is Opposed.

Transfer Is Opposed.

In arguing the counter-motion opposing the transfer of the trial to Eugene, District Attorney Neuner referred to an affidavit furnished by Sam Starmer, sheriff of Dougias county. Sheriff Starmer, in his affidavit, set out that Hfumfield was rot taken from a train at Edenbower to avoid any violence, but merely to escape the gaze of people who might have congregated at the station. Denial also was made by Sheriff Starmer in his affidavit that he removed Brumfield from the second floor of the jail to the steerage to prevent his being shot. This, Sheriff Starmer said, was purely a precautionary said, was purely a precautionary

measure.

Letters received by Sheriff Star-Letters received by Sheriff Starmer in which threats were made against the prisoner were given no significance, he said, in his affidavit. The district attorney, in an affidavit, contended that he had examined the hundreds of newspaper clippings referred to by Attorney Rice, but had failed to find any crystalized sentiment against the defendant. He alleged that the people of Douglas county demanded only fair play, and that their resentment was directed at the act rather than at the defendant. at the defendant

Prejudice Is Denied. V. C. Dunnavin, I. E. Bong, Fred S. Johnson and I. S. Weaver, all of the Myrtle Creek section, alleged in affidavits that they had read of the case. had heard it discussed, but were



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tempt of court. Prosecutor Defends Press.

"The defense in this case would bridle the press," continued the dismarked, while B. L. Hyland was quoted as declaring that the people were ready to hang Brumfield. A prominent business man, Attorney Rice said, had asserted that "if you try for a change of venue we will billities placed upon the prosecutors in a letter to the process. Continued to the press, continued to the process. Expenditures Cut Down.

The republican congress preceding the present administration is credited by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less. All we ask is justice, being by Mr. Harding with having 'patient-patient as accorded other prisoners, no more or no less and the present administration is credited to reduce the present administration is credited to red

hang him (meaning Brumfield) before you get him away."

Also, the lawyer said, this man said he had bet \$100 that Brumfield would hang. The man, Attorney Rice said, had refused to furnish an affidavit on account of business reasons.

Exception also was taken by Attorney Rice to an editorial appearing in a Roseburg newspaper with relation to what constituted a fair trial. This editorial, Attorney Rice said, was to the effect that if Brumfield was able to establish his innocence of the murder charge all would be well and good.

Butter placed upon the procedure of the case."

Joseph Hammersley, associate prosecutor, cited the recent decision of the the appropriations for the current iscal spear will aggregate four the supreme court in the case of Jack Rathie, slaver of Sheriff Til Taylor, as a bar to transferring the Brumfield trial to another county. Following this murder, he said, mob violence had been threatened, but yet the court refused to allow a change of venue. Upon this alleged error the case was taken to the supreme court, the expenditures for the expenditure of three and a half billion dollars by the shipping board; the case was taken to the supreme court, cited the recent decision of the trial spear will aggregate four and a quarter billions, and that this is three-quarters of a billion less three-quarters of a billion less three-quarters of a billion delars for the current seven decision of the supreme court, refused to allow a change of venue. Upon this alleged error the case was taken to the supreme court, the case of Jack Rathie, slaver of Sheriff Til Taylor, as a bar to transferring the Brumfield trial to another county. Following the supreme court in the case of Jack Rathie, slaver of Sheriff Til Taylor, as a bar to transferring the Brumfield trial to another county. Following the supreme court in the case of Jack Rathie, slaver of Sheriff Til Taylor, as a bar to transferring the Brumfield trial to another county. Following the supreme court fine the case of Jack Rathie, slaver of Sheriff Til Tay

in the arguments, although once or twice his shoulders twitched and he showed slight evidence of nervous ness. This was when District At torney Neuner turned to him during his argument. The courtroom was crowded during today's proceedings. Brumfield was dressed in a black suit, with a white pin stripe. He frequently took occasion to chat with his attorneys. Mrs. Brumfield was not in the courtroom.

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gratulations on the accomplishments of the administration, as expressed

weil and good.

"This is a splendid idea," said Attorney Rice. "A free-born American a change of venue should not be granted included those of the State prove his innocence, Under the constitution no man, regardless of the charge placed against him, is precharge placed against him, is precharge placed against him, is preported to be guilty until so found by a jury of his peers."

The publishing of what was purported to be the testimony given before the grand jury in the case also was held as detrimental to the defendant.

Lawyers Stage Tilt.

receive a fair and impartial trial.
These men reside near the Russell in order that the

In order that there should be no error in the record, Judge Bingham today set aside Judge Hamilton's pre-

in a letter to the president.

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