

COURTMARTIAL IS BROUGHT TO END; FEELING IS BITTER

Extraneous Testimony Drags in Charges Against Lumber Companies and Army Officers.

CASE IS TO BE REVIEWED

Witnesses Unable to Substantiate Insinuation Army Officers Involved in Irregularities.

Following a session of nearly 10 days the special court martial trial of Vivian Stanley Davis, accused of speaking disrespectfully of his superior officers and revealing his identity against orders while investigating spruce operations in the Toledo district, ended here Friday afternoon.

The case was of unusual importance because of statements brought out in the hearing that much money had been wasted in getting out spruce for the government and because of the intimation that a certain army officer had shared in a "fee or bribe" of \$25,000 for helping put over the sale of timber on which Davis was indicted.

Personalities Become Bitter In spite of the technical nature of the charges on which Davis was tried, much extraneous testimony tending to throw light on the alleged irregular transactions of the spruce firms crept into the record.

Much personal feeling was manifested between the judge advocate's side and the side of the prosecution, represented by Attorney Charles W. Robinson. The climax came when Lieutenant Paul W. Hauser, assistant judge advocate, in his closing argument to the court, declared in effect that Robinson had done his utmost to besmirch the character of the officers of the United States army and cast odium upon the spruce production division of the War Department.

In addressing the court in reply, Attorney Robinson flayed the assistant judge advocate, declaring that the statement was unfair and wholly unparliamentary.

Captain Louis Dorn, president of the court, will prepare the findings of the court, and the decision will be reviewed by Lieutenant Robinson, chief of the court, and the court will meet again at Vancouver barracks. The maximum sentence is fixed by law at six months' imprisonment in the guardhouse.

Seek to Discredit Accused Testimony tending to discredit the evidence of the accused was given Friday afternoon by Guy A. Baker, chief clerk of the intelligence office of Portland. Questioned by Judge Advocate Horan, the witness said that Davis had volunteered the information to him that he had been cautioned by Captain Gund, head of the intelligence department, not to "tip off" his hand while making the spruce investigation. Davis had testified that he never received orders to work "under cover."

A. Welch, who is in the light and power bureau of the War Department building, testified that Davis, prior to his trip to Toledo, had told him of certain alleged irregularities, one of which was a matter in which there was possibly was interested. In this testimony the name of Major Hitchcock was mentioned.

No witness was produced at the trial who would say that he had positive knowledge of any irregularity on the part of officers of the army or anyone connected with the spruce production headed by Colonel Bruce P. Disque.

Major Reuben Hitchcock, in command of operation in the Newport district, reported by the prosecution, testified Friday on statements which had been made by Davis at Waldport and in violation of an order to keep his identity secret at all times while conducting the spruce investigation. Major Hitchcock related a conversation he had with Captain Hart at which meeting Hart repeated to Major Hitchcock the charges which he said Davis had made to him.

Major Hitchcock is witness The witness said: "Captain Hart told me that Davis said that he had found that the Warren Spruce company through A. J. Hill, had arranged to buy the Blodgett tract and to sell it to the government at a large profit, and that the Warren Spruce company and myself were to divide the profits on some basis; that Captain Millard had made a survey in the Toledo district at the cost of \$25,000 and that there seemed to be some graft there; that Davis had read to Captain Hart statements from a notebook which were detrimental to the Warren Spruce company and that Davis had told Hart that he had no confidence in me, that I was connected with the Warren Spruce company and other contractors, and he had found that reports supposed to have gone to Colonel Disque were pigeonholed by me and never got by."

Major Hitchcock also explained the arrest of Private M. C. Ingram, who acted as Davis' guide in the Toledo district. He said that Ingram had been detailed to work as tree-spotter, and that Ingram, instead of staying on the job, had been going around with Davis. He said that he called attention of this matter to Captain Brown, who later had Ingram placed under arrest, but that Ingram was later released when the nature of his work was understood.

Lumberjack Takes Stand Major Hitchcock said that he did not know that Davis had been sent down from Portland by the intelligence department.

According to E. O. Clark, a lumberjack employed with the Warren Spruce company at Toledo, conditions were so irregular in that district that there was a matter of common knowledge, he said he was informed Davis that there were several requisitions for lumber which Lieutenant Trampay and Lieu-

tenant Barnes had refused to sign, and that he, far as he knew, the requisitions are still pigeonholed at Camp 3-D. In regard to Porter Bros., Clark said he did not know whether they had worked for them, and that Captain Hart replied: "You have worked for a tricky bunch, as I have watched them all the time and kept them from slipping sticky over on me."

Major Hitchcock admitted that Captain Hart made certain accusations against the Porter Brothers to him, among which were that Porter Brothers were paying \$70 to \$80 a ton for spruce in the Toledo district. He explained, however, that the reason for this was the difficulty in delivery of hay. The original cost of hay, he said, was \$25 a ton, but it had to be hauled by motor truck and wagon and the last four miles by sled, and that the sled could haul only one half a ton at a time and could make but one trip a day.

CITY HAS FOURTH OF ITS QUOTA FOR LOAN (Continued From Page One)

winning of this war has not kept pace with the government's demands upon us."

General Guy W. Talbot of the city solicitation forces appealed strongly: "I hope that every citizen in the city and county tomorrow will see to it that he calls upon his neighbor and if that neighbor has not pledged himself, or has subscribed for less than he should, that he will encourage him to do his full duty. Only by such methods can we obtain the amount we are called upon to raise. Every resident of the city will constitute himself a committee of one to help along the drive."

The Mothers' parade tonight is expected to thrill every heart responsive to a patriotic appeal. In the solemn parade will be mothers whose sons are fighting in France and who would consider any additional sacrifice small compared with what they have already done. In the parade will be wives whose husbands went away to fight for their country leaving small children whose bedside prayer each night is "Bring daddy safe home when the war is won."

3000 Ask to March The route of the parade is from Salmon street, north on Twelfth to Alder, and thence to Broadway, north to Morrison, Morrison to Fourth, Fourth to Market and thence to the Auditorium.

The marshals and aides are as follows: in effect that Robinson had done his utmost to besmirch the character of the officers of the United States army and cast odium upon the spruce production division of the War Department. Evidence "should be wearing the iron cross instead of the insignia of a patriotic American citizen."

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SENATE PROPOSES TO REMAKE HOUSE WAR TAX MEASURE

Smoot Characterizes Bill as Absurd; Other Solons Express Similar Sentiments in Senate.

WAR PROFITS TO BE TARGET

Clash of House and Senate Interests May Delay Passage of Measure Until Election.

Washington, Sept. 31.—(U. P.)—Announcing a determination to get the \$3,000,000,000 war tax bill through before the November election, if possible, the senate finance committee today began revision of the measure which passed the house late yesterday, 350 to 0. Radical changes in some of its chief provisions are in prospect. Senator Smoot's recent characterization of the bill as an "absurd" measure generally concurred in by senate committee members.

They set out today to rewrite the entire bill. The war profits are to be taxed at 100 per cent and excess profits 60; any concern that made both war and excess profits to pay both taxes, while those not making war profits pay only the excess profits tax.

Put a flat tax of from 8 to 15 per cent on all business, regardless of whether profits are due to the war or not, the rate of taxation to be determined by the percentage of profits in the taxable year as compared with profits in three pre-war years; no business to have any exemptions of any kind.

Increase present excess profit taxes. Senator Borah, leader of the wealth conservation group, who last session urged the imposition of a heavy war profits tax, predicted today that whatever plan is finally agreed on, the 80 per cent tax on war profits would be in the bill as finally enacted.

As the bill passed the house it is estimated it will raise in round figures \$1,100,000,000. Of this, \$3,200,000,000 is to come from war and excess profits, \$2,377,000,000 from income, and from all other sources, including liquor, estates and luxuries, \$2,323,000,000.

The clash of house and senate ideas may prevent final enactment of the bill until after election.

Million Pared From Bill Washington, Sept. 31.—(I. N. S.)—The house appropriations committee this afternoon pared \$1,000,000 from the bill, and production item of the \$120,000,000 aircraft estimate included in the \$7,000,000,000 asked for by the war department for its new man-power program.

The million dollars was taken off after Chairman Sherley had elicited information from war department officials who reported that the committee had certain items in the maintenance and production estimates were also provided for in the quartermaster's and other departmental estimates.

SMASHING ATTACK IS OPENED BY GEN. HAIG (Continued From Page One)

ing east of Epehy (which is now in British hands). (Bellengisse lies between four and five miles northwest of St. Quentin, where the British have been engaged for some time in a big flanking movement. Epehy is seven and one half miles northwest of Bellengisse.)

The British improved their positions west of Messines by capturing a German strong point of support. Prisoners were taken.

Progress has been made by the British east of Epehy (which is now in British hands). (Bellengisse lies between four and five miles northwest of St. Quentin, where the British have been engaged for some time in a big flanking movement. Epehy is seven and one half miles northwest of Bellengisse.)

On Thursday night when Moeuvres was retaken by our troops, the whole party regained their unit without loss.

French Win South of St. Quentin Paris, Sept. 31.—(I. N. S.)—French troops pressing upon St. Quentin from the south have captured Bemy and made progress north of the city.

USE YOUR CREDIT IN BUYING LIBERTY BONDS

If the people of Portland are going to hold an honor flag on September 28, they must use their credit in the pledge subscriptions for bonds of the fourth Liberty loan.

Field workers report that more than ever before the smaller subscription pledges are being made in cash. It is obvious that cash subscriptions are more than welcome, but subscribers who pledge cash have their credit with the government remaining unused. They could and should buy more bonds on the term payment plan. Four months are available in which to make the payments.

Every Liberty bond, no matter how small or large, should represent economy and sacrifice.

EMERY OLINSTEAD, City Chairman. GUY W. TALBOT, General in Command.

During the night French troops operating on the St. Quentin front captured Bemy and made progress north of the village.

The French repulsed a counter-attack on the plateau north of the Alsme river.

In Lorraine two German attempts against French posts were both without result.

Reconstruction Hospital at Fair Grounds Probable Salem, Sept. 31.—A telegram received Friday night by the Salem Commercial club from Senator Chamberlain holds out promise of a reconstruction hospital at the Oregon State Fair grounds. The Commercial club had offered the fair grounds for use as a cantonment, but Senator Chamberlain advised that this offer would not be accepted.

As the bill passed the house it is estimated it will raise in round figures \$1,100,000,000. Of this, \$3,200,000,000 is to come from war and excess profits, \$2,377,000,000 from income, and from all other sources, including liquor, estates and luxuries, \$2,323,000,000.

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\$11,000 DAMAGES ARE AWARDED PLAINTIFF FOR INJURIES SUFFERED

Jury in Circuit Court Holds Portland Trackless Car Co. Liable for Injuries.

A verdict in favor of J. W. Richardson for \$11,000 against the Portland Trackless Car company, was returned by a jury in Circuit Judge Gantenberg's court this morning.

Richardson was suing for \$20,000 for personal injuries alleged to have been received January 20 by falling from a jitney bus operated by the defendant company on the Linton road.

Jury Can't Agree The jury in the case of S. E. Hewitt against C. A. Foster returned a verdict of disagreement in Circuit Judge Gantenberg's court this morning after deliberating for 12 hours.

Hewitt was suing for \$50,000 for the alleged alienation of the affections of Pearl Hewitt, his divorced wife.

AMERICAN GUN FIRE BREAKS UP BIG ATTACK (Continued From Page One)

American patrols captured two heavy machine guns from the Germans.

A German patrol that was reconnoitering near Vileay and Fay-En-Haye, encountered an American force, that took two of the Germans prisoners.

YANKEE PATROLS ON METZ FRONT KEEP BOCHE JUMPY (Continued From Page One)

With the Americans on the Metz front, Sept. 31.—(U. P.)—The Germans on the Metz front are jumpy because of their anxiety regarding American plans for the immediate future.

This state of mind was responsible for two heavy raids on our positions northwest of Thiescourt yesterday. The Boches attempted to gain the same position in both attacks, but were driven back each time with heavy losses.

Some of the Germans went through our artillery barrage, but these were wounded by rifle-fire or were bayoneted. There has been no other infantry fighting here for the past several hours.

Even the artillery activity has lessened as the opposing armies take cover in their newly constructed trenches and dugouts.

American patrols continue to inspect the Mindenburg line every night. These patrols also prevent the Germans from exploring the areas in front of their wires.

The rear areas have now been practically cleaned up. Huge boxes of captured German clothing, guns, ammunition and other supplies are being hauled to the rear. Refugees are returning to their homes in recaptured villages, after four years' absence, attempting to find their homes among the ruins which have been left everywhere.

The Americans are more than ace-high with the inhabitants. Monsieur Mericler sent his wife and two daughters to Nancy when the Boches invaded this court in 1914. He stayed behind to care for their home, expecting the enemy might soon be driven out. For four years the Germans made him quarters

Souvenirs From Battle Front Are Exhibited in City

Under direction of the State Liberty Loan organization the largest and most interesting exhibition of souvenirs from the fighting front was displayed Friday night to a crowd of 6000 people at Fourth and Stark streets.

Included are a large German field gun, many machine guns and automatic rifles, trench howitzers, ammunition wagons, saps, shells for penetrating steel armor, shells for siege guns, hand grenades of every description, helmets and breast plates, shrapnel shells, and a German gas-works.

The train stayed in Portland for two hours and George W. Caldwell delivered an address while the crowds passed in extreme interest.

Boy Hit by Auto; Taken to Hospital Walter Wheelock, aged 9 years, of 248 East Forty-sixth street north, was

hit by an automobile driven by E. M. Dooley Jr., at 11 o'clock this morning at Sixth and Oak streets. He was taken to St. Vincent's hospital, where it was found he had concussion of the brain. It is not yet known how serious his condition. Mr. Dooley has an office in the Board of Trade building.

Peace Proposal of Austria Accepted By German Rulers Amsterdam, Sept. 31.—(U. P.)—Germany has accepted Austria's proposal of a non-binding discussion of peace. The Berlin government sent Vienna a note in which it declared: "Austria-Hungary's summons to the belligerents to enter into a confidential discussion in a neutral country of fundamental principles for the conclusion of peace corresponds with the spirit of peace, readiness and conciliatoriness which the responsible statements of the quadruple alliance have again and again announced."

"The decision which previous similar steps met with from our enemies was not encouraging inasmuch as they were ready to participate in the proposed exchange of ideas."

In the first six months this year 38,000 long tons of obsolete ore was mined in the United States, as compared with 42,700 long tons all of last year.

LACK OF EDUCATION AND PATRIOTISM IS BLAMED (Continued From Page One)

Referring to the big munition plants from locations near the German border line to distant parts. Personally I built a great munition factory in the Ural mountains far away from the Teuton menace. I turned out more than half a million six-inch shells for the Russian government in the early stages of the war.

Advocated U. S. Intervention The visitor advocated six months ago American intervention in Russia. According to his view the selfish aims of the United States rendered this country peculiarly fitted for the task of bringing order out of chaos in the stricken land.

Pershing's magnificent victory in the St. Mihiel salient was a revelation to the Russian patriots who did not believe it possible for the American soldiers to capture that section in a period of 30 hours.

Referring to the German stronghold of Metz he said he would be greatly surprised if the Americans took it without a long siege.

"America's entry in the war spells defeat for Germany," he continued. "American 'pep' and youth and the vast resources of the United States is the marvel of the world. In this country is produced more than one half of the iron, coal, lead, tungsten and other minerals produced in the entire world."

Double Treason Is Charged "Russia is the biggest timber country in the world, but her forests are largely inaccessible. Russia has 50,000 miles of railroad, the lines being the thickest in the western part, where the Germans are in control. Germany has taken over half the railroads."

The Stevens commission sent to Russia from the United States accomplished much toward the restoration of rail transportation. In a period of two months the service was increased 30 per cent.

That the same Russian traitors who sold out to Germany turned around and sold documentary evidence of the German-Bolshevik deal, details of which were recently revealed by the United States authorities, is the conviction of Mr. Post.

"If Russia is not made free she will constitute a future menace to the general peace of the world," concluded Mr. Post.

Walter Harvey Is Seriously Injured

Walter Harvey, stage foreman at the Peninsula shipyard, at 10:30 o'clock this morning ran an auger in his side, severely injuring his intestines. He was hurried to the Good Samaritan hospital by the Ambulance Service company. His condition is serious. Mr. Harvey is married and lives at 24 East Eighth street north.

Theodore Roberts and James Cruze Are Co-Starred

WALLACE REID with ANN LITTLE in THE SOURCE

Starts Tomorrow

One of Those Tales About Big Two-Fisted Men—A Story of the Logging Camps

Britain's Bulwarks Official War Events

PICTOGRAPH Oddities—Educational

THE BANK OF CALIFORNIA NATIONAL ASSOCIATION

PORTLAND BRANCH THIRD AND STARK STREETS

Capital \$8,500,000.00 Surplus and undivided profits \$8,571,214.33

"FOR CONVENIENCE OF OUR DEPOSITORS OUR SAVINGS DEPARTMENT WILL BE OPEN ON SATURDAY EVENINGS, FROM 6 TO 8 O'CLOCK, UNTIL FURTHER NOTICE."

THE BOMB WAS TIMED TO SINK THE BIG TROOPSHIP AT DEAD OF NIGHT—AND THE HUN-SPY WATCHED! — BUT! —

"The Hun Within"

It's a Positive Knock-Out

LIBERTY

FATTY ARBUCKLE in "THE COOK" LAST TIMES TONIGHT TWO STARS NORMA TALMADGE in "HER ONLY WAY"

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"The Hun Within"

Come on, fellows, save 'em and eat 'em TOASTIES (MADE OF CORN) They're summery and they save wheat.

GERMANS SHOUT "DOWN WITH WAR" (Amsterdam, Sept. 31.—(I. N. S.)—"Down with war" was shouted by the crowds at an election meeting in Berlin Friday, said a dispatch from that city. The meeting was broken up by the police.

KLEEN-MAID THE BREAD that fully answers all your time requirements. At Your Grocer. Save Grain or Freedom's Gain.

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