

WOMAN TESTIFIES FOR GOVERNMENT IN ALBERS TRIAL

San Francisco Witness Tells of Overhearing Portland Business Man Make Alleged Remarks.

TAXI RIDE IS RECALLED

"I Am the Kaiser's Man From Head to Foot," Albers Is Declared to Have Stated, Once.

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sentiment expressed in the barber shop that she recalled.

It was not generally heard throughout the shop, or at least given no notice.

Taxicab Ride Figures

Following this came a taxi ride to Stanford university with Albers, O'Neil and a Miss Wade.

During the ride the witness said Albers gave utterance to several pro-German sentiments, for example "Deutschland Uber Alles."

"I am worth a million dollars. I would spend every cent I have to help Germany win the war."

"I am a spy. I don't care if I am shot tomorrow."

"He would emphasize his remarks by stroking his knees with his hands, continued the witness, who said that her resentment was aroused by what he said.

Miss Wade also became worried and asked that he be made to shut up, saying, "We will all be interned."

Another remark attributed to Albers was, "The Kaiser is the smartest man in the world. Wilson has no brains."

Mrs. Gomes said the incident worried her all that night and for several days thereafter.

Finally she took one of her customers in her confidence and told him about it.

He advised her, she continued, to tell the federal authorities and suggested that she should do so to do so he would do it for her.

She accepted his offer and he reported it.

Albers Appeared Sober

On cross examination the witness said she did not think the defendant was intoxicated to a very great degree, as he talked intelligently but would dose off once in a while.

It was brought out that her maiden name was Olga Drefs and that she and her husband had been divorced.

Her parents were Russian.

The government has concluded one phase of its case, that involving the incident on the train on which four of the seven counts of the indictment are based.

The case is now being directed to the establishment of seditious allegations in Portland between the dates of July 1, 1917, and May 1, 1918, on which three counts are based.

Over the objection of the defense Judge Wolverson has permitted the government to introduce testimony of pro-German sentiment prior to the time the United States entered the war, for the purpose of showing the bent of the defendant's mind.

Harry Carrano, a janitor and window washer, was permitted to testify that before October 15, he had heard Albers say: "One Kaiser and one God," while cleaning windows in the office of the Albers Bros. Milling company.

He did not know how the government was informed of what he had heard, as he had only told it to his landlord, who had since departed from this earth.

There were other persons in the room through whom information might have come.

N. F. Titus, an employee of the spruce production division, who is a wharfinger on the river front with his office in the Albers dock, said that he had known Albers for three years and had various conversations with him regarding the war.

In the early stages of the war before the United States became involved, he had these conversations on the part of Albers, were that the stories of

German atrocities and other charges were "all lies" and that the American people and government were being deceived by the English press.

To get at the real facts he said Albers recommended reading the German version.

The impression left Wednesday by Leon E. Gaumaunt of Kent, Wash., one of the government's witnesses in the trial of Henry Albers, was that he either had visions of capitalizing his testimony or else wished to exhibit great detective ability.

On his cross-examination by Attorney McGinn he was confronted with a letter which he had written on November 12 to George Albers of Seattle, a brother of the accused man, in which he said in substance that ever since he had got involved in the case he had been worried and lost business and he wanted to know if Albers would take care of him.

It developed that the letter had been left under Albers' door after the woman living next door had refused to take it and deliver it.

Gaumaunt acknowledged writing the letter and explained that George Albers had told him in an interview at Seattle that he wanted to pay him for his trouble.

"I wanted to see," added Gaumaunt, "if he was as bad as his brother. I was trying to trap him."

It also developed that the witness had been called on Judge McGinn.

"Did you not come to my office," asked McGinn, "and tell me that you came at the suggestion of George Albers, whom you saw in Seattle? Is it not a fact that you came to me to get money?"

Witness Calls on McGinn

The witness denied that he had come for that purpose and said that the only suggestion of money was the statement of Judge McGinn that "Mr. Albers is a man who has lots of money."

"Did you not tell me," continued Judge McGinn, "that Albers has been jobbed; that he was so drunk he did not know what he was talking about; that Tichenor told you that he knew who Albers was, and that they had been laying for him for two years?"

All of which was denied by the witness.

On redirect examination, Attorney Hare brought from the witness the statement that, irrespective of all counsel for the defense had said, he (Gaumaunt) had testified to the truth on the witness stand.

"Did you ever advise me about this Albers' letter?" asked the United States attorney.

"Yes; when I came down for the trial," was the answer.

The attorney for the government then introduced a letter which Gaumaunt had written to him on November 6, in which he said that he was worried because the grand jury did not ask about some things which he knew.

Reports to Deputy Tichenor

He said that he had reported to United States Deputy Marshal Tichenor that he had heard Albers say McGinn was a ———, and that he had warned Albers to keep his mouth shut.

He further said that he had said to Tichenor, "Don't you think he is pretty drunk?" and that Tichenor had said, "If he is not found guilty I will throw my star in the lake."

Accompanying this letter was the reply of the United States attorney, in which Gaumaunt was told that all that would be expected of him was to tell the whole truth and nothing but the truth.

He is of French parentage, is 30 years of age, engaged in the automobile business.

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Kinney, "but his language was clear, except in a few instances."

Some of his utterances, which Kinney said he made note of, were:

"Once a German, always a German."

"I served 25 years under the Kaiser."

"I came to this country and I got right here."

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

"We will have a revolution in this country in two years."

"Why should this country tell me what to do?"

"They can never lick the Kaiser in 1000 years."

When asked on cross-examination, as to the responsibility which should attach to the statements of a man under the influence of liquor, the witness said that he considered a man who could give quick replies responsible. He also did not consider it necessary to warn an American citizen to be careful of his conversation when it came to expressing sedition.

"Do you suppose," asked the counsel for the defense, "that a man would be so irresponsible as to make such remarks, unless he were irresponsible?"

"I would not consider him crazy, but a propagandist," retorted the witness.

Another important witness for the government was E. C. Bendixen, an insurance man of Portland. Bendixen testified that he met Albers on the train in Grants Pass, his native town.

The defense raised the point that this evidence was not competent for the reason that the indictment did not set forth the words in which Albers' statements overruled the objection, holding that it was not a case of slander or libel.

Bendixen said that when he entered the train he saw Albers with a drink of smelted liquor and warned Albers, whom he did not know at the time, that a deputy United States marshal was one of the passengers.

Albers replied, he said, "Oh, to hell with him," and went down into his grip and pulled out a pint bottle. A little later Bendixen saw Albers get up and go back into the compartment and try and get some "dope," as Albers was talking sedition.

"This man is in a peculiar position," said the witness. "My uncle has an interest in the Albers Brothers Milling company, and furthermore, I know Albers' working partner, and I am sure I asked Tichenor if he would give me immunity in drinking."

"Once German, Always German."

"I went back and introduced myself, speaking German. I said, 'Henry, you have been making serious and seditious remarks. Are you sure you know what you are doing?'"

"He replied, 'Once a German, always a German,' and gave me to understand that while he was an American on the outside he was German at heart."

Some further utterances reported by Bendixen were:

"I served the Kaiser 25 years but in America I get ———."

"I have \$10,000,000 which I will spend in beating the United States."

"Schlag America." This was explained to mean that America must be obliterated.

Bendixen continued that he went back and reported to Tichenor, who advised him to go back and talk further with Albers.

Tichenor suggested that Albers was returning to Grants Pass, where he might have been conspiring.

Bendixen said he returned and asked Albers about government contracts, but got no satisfaction. Albers looked out of the corner of his eye and said, "Nein, nein."

SENATE COMMITTEE ACCUSED OF LOAFING

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the pace, and thereby keeping the machinery speeded up.

Anti-trust Bill Passed

With but two votes cast against it, the senate today passed a stringent anti-trust bill. The two dissenting votes were cast by Senators Houston and Handley.

The measure is senate bill 72, introduced by Senators Thomas and Lachmund, and the motive for its enactment, as explained by Senator Thomas, is to reach the cement trust in this state.

This bill was drawn to aid the high commission to reach certain combinations and monopolies," said Senator Thomas.

"It is a copy of the South Dakota law, which has been in force for the last eight years, and has accomplished beneficial results. The attorney general told me this was a much needed law."

Senator Farrell inquired if the bill would hit the Columbia River Fishermen's union, which makes an agreement at the opening of each season as to the price of raw fish.

"That probably would be a matter of law enforcement," replied Senator Thomas, "but he does not intend to reach such organizations. The real idea of the bill is to reach the cement monopoly, which has prevented the highway commission from getting materials at the price it should."

Bill Gets Careful Attention

Senator Mozer explained that the bill was given careful consideration by the judiciary committee, which recommended that the bill pass. He pointed to the section which exempts farmers' organizations and labor organizations from the provisions of the act.

There is no danger of farmers or horticulturists entering into a combination in restraint of trade," he said. "They organize for the purpose of getting better prices for their products."

The bill provides penalties for any persons, firms, corporations or associations who create or carry out restrictions in trade; to limit the production or to increase or reduce the price of commodities; to prevent competition in the manufacture, transportation, sale or purchase of merchandise, produce or commodities; to fix any standard or figure whereby the price to the public shall be in any manner established or controlled.

High School Fund Law

S. B. 63 was called from the table by Senator Patterson and was passed by the senate, with but one dissenting vote. It provides that the county high school fund shall apply to all the counties in the state.

Under the provisions of the law, districts which do not have standard high schools are required to levy a tax to pay the tuition of the children who go from the district to attend school in some other district.

The senate passed house bill 10, which provides that persons holding state coupon bonds may exchange them for registered bonds.

The senate also passed house bill 88 which relates to the vacation of town plats by the county court or municipal authorities.

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U. S. THREATENS TO FORSAKE RUSSIANS

Withdrawal of Support Is to Be Penalty of Failure to Meet Wilson's Plan to End Strife.

Washington, Jan. 30.—(U. P.)—The United States threatens to withdraw its support from the Russian republican factions unless they at once endorse President Wilson's plan for ending Russian strife through a meeting with Bolshevik and allied delegates, diplomatic circles disclosed today.

Recall of American troops in the Archangel region and in Siberia, embargo against exports to Archangel and Vladivostok and withdrawal of United States recognition now granted the diplomatic Russian constitutionalists at Washington, would be the most significant features of the step. Similar action could be expected from Great Britain, France, Italy and Japan and the Russians would be left to "fight it out amongst themselves."

It is understood a memorandum of the American viewpoint has been handed to the Russian embassy here for conveyance to Russian ambassadors and ministers at the time of the conference.

Diplomats admit that the disappointment of the United States at the opposition of the Russian constitutionalists toward the proposed all-Russian conference is evident.

The United States has practically supported this constitutionalist faction here, financially as well as politically, since their appointment by Kerensky. The Russian powers were led to do likewise.

The official position of the Northern European government regarding the meeting will not be known, it is believed, until the arrival in Paris of President Tchekovskoy, Russian constitutionalist.

The Russian embassy has received an Archangel cable declaring that Tchekovskoy is pledged by his government to take an uncompromising stand against the Bolsheviks and to insist on Russian republican admission to the deliberations.

The cables also stated that Tchekovskoy proposes to join the Omak government representatives and the Russian republicans in Paris, from which the land can be redeemed from chaos.

BIG FIGHT ON STATE AID LOOMS

(Continued From Page One)

ident fund should be only suspended and not entirely repealed.

Bill Passed by Senate

The bill in question passed the senate without opposition upon the explanation by the governor in his message recommending that all state support be cut off for at least two years, and the further statement that if it was desired to restore state aid it could be done by enacting a law at the next session of the legislature.

But the friends of the industrial accident commission in the house see a danger in restoring entirely the principle of state aid, pointing out that if such action should result in crippling the operation of the workmen's compensation law, it might be difficult to restore state aid of any sort over the opposition of those who have always fought the law.

To Repeal 1917 Law

The committee last night voted to instruct its clerk to draft a bill repealing the 1917 law which withdrew state aid from the various charitable institutions that have been receiving partial support from the state on a per capita basis. The law was passed in 1917 at the time