It's All Here and It's All True THE WEATHER-Tonight and Tuesday

New York..... 8 St. Paul.......10

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United States Supreme Court Refuses to Review Case, All Permitting Conviction to Stand.

Fine of \$500, Asserts Court tions sub-committee today.

OPPOSING PLASHES IN EQUI SEDITION CASE Dr. Marie Equi-"I am as guiltiess as an unborn babe. Meanwhile I'd like to know what's become of the Willard Jones case, which was in court the same time mine was." Barneit H. Goldstein, former U S. attorney, who prosecuted the tentiary now. Only an executive

William R. Bryon, U. S. secret service agent-"God still reigns." Washington, Jan. 26 .- (U. P.) The supreme court today, by declining to review the case, allowed decisions of lower courts to stand

cate of Portland, Or., guilty of vio lating the espionage act. She must pay a fine of \$500 and serve three years in the penitentiary.

holding Marie Equi, I. W. W. advo-

### MARIE EQUI STICKS BY

pardon can save her.'

"Just what I expected." Dr. Marie Equi today declared when she was advised of the United States supreme court's action. "I am made to suffer for something I never said. I am no more guilty of the charges that take me to prison than is an unborn babe. 'I did not expect to get my case before the supreme court on a writ, and anticipated the action you report.

to prison for the three years my sentence

become of the Willard Jones case, which the was in the courts with mine. Maybe

has guashed it." Dr. Equi, who is a guest at a Portsion of medicine, was considerably afappeal from the decision of Federal Judge Bean, which held her guilty of

"There was not a word of truth in the charges against me," she said, "and the fact that my prosecutors were forced to write out three statements of charges before they produced one that suited them, is indicative.

"It appears there is nothing left but prison and I shall resign myself to that fate, I suppose, guiltless as I am." Former U. S. District Attorney Bert E. Haney and Barnett H. Goldstein, then assistant attorney, conducted the prosecution of Dr. Equi in the federal district

CASE HELD IMPORTANT when informed of the supreme court's 1914.

"This case was of extreme importance. not only because we felt Dr. Equi was a disturber, but because of the importance of determining to what extent sedition and seditious utterances could be

"The only recourse Dr. Equi now has is an executive pardon."
"God still reigns," cried William R. Bryon, special agent for the department of justice, on whose investigations Dr. Equi was arrested, when he was informed of the supreme court's action. Bryon said Dr. Equi has been remarkably docile of late and intimated

ger of unbridled utterance. Dr. Equi was arrested on an indictment returned in June, 1918, was tried November 8 and was sentenced by Judge Bean in December. The circuit court of appeals refused relief October 27, 1919. following arguments in May, with United States Attorney Bert E. Haney and Goldstein arguing for the gevernment. Colonel C. E. S. Wood interested himself in Dr. Equi's behalf at that time, filing

that at last she has discovered the dan-

Other counsel for Dr. Equi included James Fenton of San Francisco and George Vanderver, the I. W. W. at-

The case against Willard Jones, referred to by Dr. Equi, has been in the hands of the circuit court of appeals since early autumn, when the appeal was argued by counsel for Jones and by United States Attorney Bert E. Haney. A jury found Jones had obtained cer-tain lands by fraud and fixed \$18,000

price should be. as the sum owed the government, figuring interest at 6 per cent. The chief point in contention on appeal apparently is the reduction of this sum, as the inonly a scant profit. terest would account for about half the

A decision in the case is expected at

## **ARMIES OF SOVIET** INVADE MONGOLIA

London, Jan. 26 .- (I. N. S.)-A Russian wireless dispatch from Moscow this afternoon stated that the soviet army in Siberia has reached

the Mongolian frontier at Kobdo. Kobdo is an important town and trad-is post in the western part of Mon-

## Lenin Abandons FLOOD **World Revolution** Idea, Soviet Agent **Tells Committee**

Russia Now Able to Alone," It Is Said: Russia to Buy Supplies.

By Raymond Clapper

Washington, Jan. 26 .- (U. P.)-Lenin has abandoned his idea of Seditionist Must Serve Three world revolution, Ludwig C. A. K. Martens, soviet representative in the Years in Penitentiary and Far United States, told the foreign rela-

> There was a time when the Russian Socialists believed that revolution in all other countries was necessary." Martens "The idea is disappearing now because Russia has demonstrated that it can exist against the rest of the world Russia is now strong enough to defy the other governments. That is the reason Lenin wrote the Italian Socialists, ad-vising against revolution. He believes serious is the flood conditions that of the army during the war.

will be executed when trade is opened up. Martens asserted.

Commodities purchased include food largely tinned meat and milk; medishoes, machine tools, boots and a few automobiles, he said.

Footwear Was Bought for \$1.29 and Sold for \$8.

a chain of retail shoe stores in New "All I dan do now, I suppose, is to England cities, were fined \$1000 ported as being extremely hazardous beeach today and their local managers cause of falling rocks \$500 on the charge of profiteering, HILL ROAD CLOSED The men, who pleaded they had no

According to the government, the men bought some shoes as low as \$1.29 land hotel while practicing her profes- a pair and sold them for more than \$8. It was said that seven salesmen were fected by news of the failure of her last given 20 per cent of all money received above the regular asking price, and that incone month these men collected \$414 violating the espionage law and exacted in commissions. The firm was alleged fine of \$500 plus a three-year prison to have done business totaling \$16,500 in one month, of which \$7900 was profit.

### America Plans Big Marne Statue for Hun Defeat in 1914

New York, Jan. 26 .- A colossal stone on the Marne, to commemorate the vic-torious stand of Joffre's armies against "She's just as good as in the peni-tentiary now," Goldstein said today, the German thrust toward Paris in

> Co. has already completed plans for the monument, which is to be the work e cost about \$250,000. A campaign for funds is to be started early in March. state chairman to be named by the committee. Myron T. Herrick, ambas- lookqut for other slides. sador to France in the early days of the war, is chairman of the executive com-

The site of the memorial is to be selected by Marshal Foch and Marshal

## Profiteering Denied By Grocer; Another Groceryman Demurs

L. F. Eckert, grocer, entered a plea of not guilty when arraigned in federal court today. He is changed with violating the food control act by selling sugar for more than 13 cents a pound. His trial was set for March 3.

A. W. Anderson, another grocer simlarly charged, filed a demurrer to the indictment. He alleges that it is improperly drawn, in that it accuses him selling at an unjust price without presenting facts to show what a just

Eckert, through his attorney, will plead that the food control act was not enacted to reach small dealers who make

## Influenza Cases

Chicago, Jan. 26.—(I. N. S.) — A marked decrease in the number of new cases and deaths from pneumonia and influenza for the 24 hours ending at noon today was announced here by the Chicago health department.

## Kenyon's Bill Is Passed by Senate

carries an appropriation of \$6,500,000 Fenton building, Sixth and Oak streets, to be distributed among states on a 50-Shipments of enumerators' reports are now being sent daily to Washington.

Torrential Rain Has Sent Creeks Bounding Out of Their Banks and Much Damage Is Feared.

Heavy downpour of rain which kept up all Sunday and Sunday night has country streams, and caused consid-Tentative contracts for American goods tofaling \$7,000,000 have been made by the Russian soviet government and travel is rendered dangerous by the rubber are delayed.

Commissioner Mann reports that a gap 100 feet wide was torn through the Sandy boulevard by the water which burst out of the culvert at a point near the Cedars. Workmen toiled last night and today to put up barricades. Meanwhile traffic on the Columbia river highway was forced to detour by way of Troutdale and the Twelve-mile house. Back water which was unable to escape through a blocked culvert flooded the basement at the Cedars detention home for women and prevented the op-HER CLAIM OF INNOCENCE Clerks and Proprietors Admit cration of the heating plant. Water also Conditions in State Show 450 entered the first floor of one of the cot-tages which is near the main building.

Roadmaster Eatchel left this morning to investigate reports coming in about the bad condition of roads. Three or more washouts and landslides are reported along the Columbia Providence, R. I., Jan. 26 .- (I. N. river highway. The Sandy river is S.) - Three Boston men who operate swollen to twice its normal size, and

"I doubt that I will be sent to McNell's defense, are Samuel F. Flamzbaum.

Island, but will probably go to some other federal prison. Meanwhile I would greatly like to know what has all of Boston, and Joseph Fredberg,

A. M. Collins and G. M. Goldsmith, near Troutdale is said to have three feet of water, and to be rising rapidly.

Als is lessenger, 895% Rodney avenue, find the big loss of the said said to have three day's illness, which Dr. Charles B. Frisher of water, and to be rising rapidly.

Als is lessenger, 895% Rodney avenue, feet of water, and to be rising rapidly.

Als is lessenger, 895% Rodney avenue, feet of water, and to be rising rapidly.

Als is lessenger, 895% Rodney avenue, feet of water, and to be rising rapidly. reports are co tain torrents are tearing across the highway and doing serious damage. Many

washouts and floods are feared. The Foster road, east of Lents June ion, is covered in many places with water four feet deep. The water flows in vast stretches across the highway and into Johnson creek on the south side of the road. Residents of the district are fearful that the creek will over-

flow and flood the vicinity. The heavy rains have caused a big ise in the Willamette river. Serious dirt slides have been reported on both the Terwilliger boulevard and on the Cornell road. Railroad officials have rushed men to

opportunity to contribute through a ing detoured by side tracks and service is uninterrupted. Patrols are on the On the O-W. a number of small; wash-

outs and slides have occurred, but op-eration is being continued on a delayed

Heavy rains Sunday caused a big rise in the Willamette river. However, Dis-trict Weather Forecaster Wells believes cold weather will prevent high water MORE RAIN PREDICTED

The forecast for tonight and Tuesday predicts rain, possibly turning to snow. It will be colder, with northerly winds. The Willamette river at Portland at 10 o'clock this morning was 8 feet above zero, a rise of 4.4 feet from Sunday morning. Rainfall here during the 24 hours preceding 7 a. m. was 3.0 inches. A big drop in temperature was noted this morning. The reading at 5 a. m. was 39, compared to 53 degrees Sunday morning. It got colder later this morn-

ing, too. River readings this morning were: Eugene-8.5 feet above zero, rise of fact in 24 hours. Rainfall, 1.03 inches. Albany-7.1 feet above zero, rise in 24 hours of 4.2 feet. Rainfall, 2.08 inches. Salem-10 feet above zero, rise of 8.5 feet. Rainfall, 1.87 inches. Oregon City-6.6 feet, rise of 3.5 feet

Rainfall, 3.67 inches. It was warmer in Central Oregon than in Portland. Roseburg reported a tem-perature today of 52; Marshfield, 50; Baker, 44, and North Head, 36.

## Fewer in Chicago If You're Not In, Why Not Get In? Census Needs You

Census inspectors are checking up residence districts today to find out whether enumerators thoroughly canvassed Portland. If you have not been counted in the census, you must hurry, warns William D. Bennett, supervisor in Multnomah

Washington, Jan. 26.—(U. P.) — The Kenyon Americanization bill passed the way 3346, or, better yet, call personally, senate today by a vote of 36 to 14. It Its office is on the fourth floor of the

## Pershing Thanks COURT ROOM AND CENTRAL FIGURES IN I.W. W. TRIALS Oregon for Fine Reception Given Him on Late Trip

General Writes Governor State Should Feel Proud of Record of Soldier Boys.

Salem, Or., Jan. 26.-In a letter received by Governor Olcott this morning General John J. Pershing Hole 100 Feet Wide Ripped thanks the people of Oregon for the warm welcome extended to the com-Through Paved Boulevard at mander in chief of the American Cedars; Traffic Is Detoured. expeditionary forces on the occasion of his recent visit to this state.

General Pershing's letter follows: "The warm welcome to the state of Oregon which you extended on the occasion of my visit to Portland is deeply overflowed the banks of numerous appreciated. It was an honor and a thanking the people of your state for their loyal and wholehearted support raffic on some of the highways has should indeed be proud of your young been blocked and in other sections men who rendered such splendid service, both in the camps of America and on the battlefields of Europe.

"I was very glad to have had the privthe roads. Railroads are seriously ilege of meeting you and desire to thank affected in some sections and trains you again for the many personal courtesies which you accorded me and the officers of my staff."

III; Local Legislation Is Planned.

The first two deaths from influenza, one in Portland and the other travel along the road between Trout- in Yankton, outside of St. Helens, were reported this morning by City Health Officer George Parrish and State Health Officer David N. Ro-

> will ask that post-mortem examination be held, as Mrs. Messenger was ill but one day and the fact that she was about to become a mother. Her body is at the S. Dunning undertaking parlors,

Martin Breggs, a student at the high chool at Yankton, died Sunday from hemorrhagic pulmonary influenza, according to word received from County Health Officer Dr. L. G. Ross by Dr.

Dr. Ross reports that Breggs showed all the symptoms that characterized the influenza wave of 1918-19.

Influenza over the state showed a big advance over Saturday and Sunday. with an outbreak of 150 cases reported from Harney county, 19 additional cases from St. Helens and nine cases in Hood River. Close to 450 cases are prevalent over the state.

Fourteen positive cases of influenza show intestinal disturbances, while four have been diagnosed as pulmonary in-

A call for nurses at Burns was answered Sunday night by Portland chapter, American Red Cross, who dispatched four nurses to care for Harney county cases, which are showing an unusual virulence. Blankets and linen, sufficient to equip 50 beds, were likewise forwarded. Dr. B. F. Smith, county health officer, is the only physician available to combat the disease, accord-(Concluded on Page Two, Column Six)

## Government Would Dismiss State's Attack on Dry Law Interior Department Not Expected Man and Wife Forced to Flee

Washington, Jan. 26 .- (U P.)-The government in the supreme court today moved to dismiss Rhode Island's bill attacking the validity of constitutional

Argument of this motion is expected determine whether constitutional proalbition will stand.

The solicitor general said the motion could not be argued until March, because Rhode Island attorneys are not yet ready. A recess of the court during February will delay it until that time,

The court agreed to advance the anpeals from Ohio courts which will determine whether states by referendum can override the action of state legislatures in ratifying the constitutional prohibition amendment.

# School Enrollment

Early reports from Portland school principals indicated a general increased enrollment for the second term of the year which opened this morning. While the figures showed no startling changes, with few exceptions the increases ranged from three or four to 25 or more pupils Eastmoreland school has more than doubled in its enrollment over a year ago, Fernwood has 50 more. Kennedy shows an increase of 66, Lents shows 47 increase and Thompson has 78 pupils over a year ago. Albina Homestead. Buckner. Central, Holladay, Hosford. Ladd, Hudson, James John show slight decreases, due, it is thought, to prevalence of smallpox.

None of the high schools had reported their enrollments up to noon today.

### HOUSEBOAT MISHAP LEASING PROJECT MEETING DELAYS ENDANGERS COUPLE that would not have caused a delay of

T THE top, from left to right, are F. P. Christensen, assistant attorney general of Washington; C. D. Cunningham of Centralia, special prosecuting attorney, and Herman Allen of Centralia, prosecuting attorney in the trial which opened at Montesano today. In the cen-

ter is the superior court room of Grays Harbor county courthouse at Montesano, in which the trial

is being held. Below, at the left, is Judge John Wilson of Olympia, the trial judge, and at the

right is George F. Vanderver of Seattle, attorney for the accused men.

to Proceed With Doak & Brown Application.

Washington, Jan. 26 .- (WASHbetween Secretary Lane. Representatives Sinnott and Baker, reclamation officials, W. K. Brown of Doak houseboot, found themselves forced so that a decision cannot be expected & Brown, and Alexander Rosborough the California-Oregon Power company, practically reached a decision today that the department will not proceed with the Doak & Brown leasing plan, over which so much protest has arisen. This will result in continued inaction so far as public lands are concerned, there being no prospect that congress will Larger at Beginning being no prospect that congress will take up additional reclamation projects at this time. Secretary Lane will forthwith prepare a statement said.

Personal effects of the Glovers were saved, but the interior of the rooms in the houseboat, including the furniture, is being badly damaged by water, it is

## Art Treasures of Great Value Are Stolen in Vienna

London, Jan. 26 .- (I. N. S.)-A bold theft of \$4,000,000 worth of art objects from the government museum in Vienna was reported in an Exchange Telegraph dispatch from Vienna today. (A recent movement was initiated in Austria to pledge eastles and art works for money and food supplies.)

When Structure Loses Pontoon at Night.

When the government houseboat INGTON BUREAU OF THE JOUR- in which the U. S. customs launch NAL.)-Further discussion of the H. W. Scott is tied, dropped a pon-Klamath lake land leasing project toon shortly after midnight Sunday. Mr. and Mrs. Clifford Glover, octo flee for their lives. The pontoon dropped from the structure, which is tied to a west side wharf at the foot of Salmon street, and the houseboat promptly listed, with the government launch inside. Early this morning efforts to keep the structure from

> with partial success. The launch Scott was forced practically under water be-Personal effects of the Glovers were

### Contracts to Pay Railroads Signed By Director Hines Bridge at Cascade

Washington, Jan. 26,—(I. N. S.)—Director Hines today signed the following contracts for compensation for rail roads during the period of federal con-Chicago, Rock Island & Pacific raiload, \$15,880,481. Northwestern Pacific railway, \$1,338,-San Antonio & Arkaneas Pass

Claims of Workers Given Preference By Supreme Court ing the special session.

Nothing Heard From Jefferson,

Due in Port Sunday Morn-

ing From the North.

Scattle, Jan. 26 .- (I. N. S.)-No

word had been received this morn-

ing from the Alaska Steamship com-

any of the Canadian shore stations

reached the company's offices here Sat-

Millbank sound, a short stretch of open

It is possible that the vessel may have

able tide through Seymour Narrows, but

other than the usual winter weather in

ompelled to await a more favor-

water off the British Columbia coast.

Washington, Jan. 26.—(U. P.)—By re-fusing to review the case, the supreme court today allowed decisions of lower derver will be alone for the defense in courts to stand, upholding the rights of laborers under the Oregon laws to priority of claims against a bankrupt company for which they worked. The suit was brought by James G.

Wilson, trustee in bankruptcy, for the the Western Condensed Milk company, Newberg, Or., who refused to pay the labor claims first. "That settles our case," said James Wilson, Portland attorney, when he

to review the case he took to Washing ton as trustee in bankruptcy for the Western Condensed Milk company of Newberg, Or. "Laborers under the defunct company,

Wilson said, "sought preference in pay-ment of their claims and their demands were sustained by the lower court and the circuit court of appeals. We took the matter to the supreme court on a writ of certeriori and the action announced today, perforce, terminates the litiga-

## Approved by House

Washington. Jan. 25.—(WASHING-TON BUREAU OF THE JOURNAL)— The house has passed the bill of Senator Jones of Washington granting permission for construction of a high toll bridge over the Columbia river near Cascade Locks. The measure now goes to the White House.

1. W. W.'s Appeal on Ground of Prejudice Refused by Judge Presiding at Montesano Trial.

Chamber of Commerce Center of Vitriolic Attack by Man Who Is Defending I. W. W. Members.

By Fred H. McNell

Over The Journal's Special Lessed Wire Court House, Montesano, Wash. Jan. 26 - (I. N. S.) -At the conclusion of the opening session today of the trial of 11 defendants charged with the murder of Warren O Grimm in connection with the Armistice day shootings at Centralia Judge John M. Wilson denied the motion of Attorney George F. Vanderver for a change of venue from Grays Harbor county.

The place of trial had previously been changed from Lewis county, in which Centralia is located, on motion of Attorney Vanderveer.

Judge Wilson said that the showing was not sufficient to justify another change and that the law would not permit a change on the matters produced is evidence to show prejudice. fendants were protected, he said, by apneal power and his error, if made, could be rectified by the higher court.

Vanderveer noted an exception, the first of the case.

The ruling followed arguments that consumed the two morning hours of the opening session. Following and refut ing Vanderveer's contention that nubble opinion had been set against the defendants by newspaper publicity in Grays Harbor county, Attorney W. H. Abel of the prosecuting force cited 10 newspapers and circulars that had been circulated in "thousands," he asserted,

throughout the county by raidcal in-

OTHER SIDE BUSY, TOO Admitting Vanderver's contention of nfluencing statements having been published against those on trial. Abel maintained that the matter on the other side had been "far more intemperate and

Quoting from the Industrial Worker published in Seattle, January 17, Abel declared the matter should be the basis for a contempt action, in that it had accused Judge Wilson of 'somersaulting in at first declaring that the trial should not be held in Montesano, but later plac-

ing it there. Abel maintained that the propaganda ampaign was originated by the friends of the defandants, and that a campaign of rebuttal was started by partisans on the other side merely in the interests of

"New Solidarity," an I. W. W. publication, was extensively quoted by the prosecutor, together with advertise-ments published in the Seattle Union Record and other alleged radical printings.

BIAS IS CITED

"One would think from perusing these articles that they (the defendants) were justified in killing these people," Abel due to arrive here Sunday morning said. "Not one thing has been published from Southeastern Alaska. No wire-here to show that the men here charged less reports had been received by did anything wrong." The affidavits submitted by Vander

veer, Abel charged, came from a draft

dodger and a member of the I. W. W and that no statements had been made by anyone not employed by the defense To this Vanderveer replied that while the prosecutor might impeach his affiants and himself, the fact of vicious propaganda of p rejudice against his clients had not been refuted. Another plea to transfer to Tacoms was made in concluding the matter.

taurant in the Zeebyth building, which more than six hours, steamship men de-clared. Weather reports do not indicate same time steps have been taken to see same time steps have been taken to see that the food supplies for the regular inhabitants are not curtailed by the almost doubled population. Almost a score of newspaper corre spondents are here to report the trial and the telegraph facilities have been

The American legion has opened a res

increased ten fold. Sheriff Jeff Bartells of Grays Harbor county has installed about 50 special deputies to service dur Judge Wilson and Vanderver agreed this morning that the defendants should be ranged in a semicircle facing the wit

ness-stand and jury. Apparently Vanthe array of legal talent assembled. Arrayed against him are Herman Allen prosecuting attorney of Lewis county; W. H. Abel of Montesano; C. D. Curningham, ex-prosecutor of Lewis county Frank P. Cunningham, assistant attor ney general of the state; John Dunbar assistant to the attorney general's office and J. H. Jahnke of Centralia, assistant prosecutor under Allen.

CHANGE OF VENUE ASKED

Attorney George Vanderver opened the case this morning with a demand for another change of venue. "In the editorials in these newspapers not the slightest admission of a possible

defense for these men has ever been made," declared Vanderver. "I will prove beyond the question of doubt that an attack was made on the W. W. hall on the day this affair occurred. I will prove it by more than 75 witnesses, some of them marchers in that parade. I will prove it by some of the witnesses whom the prosecution will place on the stand."

Vanderver's statement thus in scates

the nature of the defense to be made it was evident that the extent of the testimony to be produced on the (Concluded on Page Two, Column Four) Teachers' Pay Raised

Chicago, Jan. 26 .- (I. N. S.)-A 50 to 75 per cent increase in salary for the

### the threatened areas and have them on constant duty patrolling the lines. RAILROADS ARE AFFECTED Streams and creeks on both the north statue nearly as large as the statue of and south banks of the Columbia river are now quarantined over the city, ac-Liberty and to be known as "America's are causing no end of trouble to the cording to Dr. Parrish. The majority Gift to France" is to be erected at Meaux O-W. and S., P. & S. railroads. Slides and washouts have occurred and continue to threaten communication from fluenza. the East today. On the S., P. & S. a slide occurred at A committee headed by Thomas W. Mount Pleasant, Sunday night, which Lamont of the firm of J. P. Morgan & delayed trains upward to six hours. All the small creeks between Vancouver and Pasco are overflowing, according to reof Frederick MacMonnies and which is ports received by local officials this morning. Another slide occurred at Crooks Each state of the Union will have an early this morning, but trains are be-