

THE WEATHER.  
Fair, moderate winds mostly north-  
erly.

SIXTY-NINTH YEAR

# The Oregon Statesman

SALEM, OREGON, SATURDAY MORNING, DECEMBER 6, 1919.

The Statesman receives the  
latest wire report of the As-  
sociated Press, the greatest  
and most reliable press as-  
sociation in the world.

PRICE: FIVE CENTS.

## NEW HEARING IS ASKED ON PHONE RATES

Reasonableness of Lower  
Charges Is Challenged by  
Phillips and Refund Order  
Held Without Authority

## CO-OPERATION WITH BOARD IS PROMISED

Difficulties Incident to Feder-  
al Control Furnish Excuse  
for Laxity

The Pacific Telephone & Tele-  
graph company will ask for a new  
hearing before the Oregon public ser-  
vice commission regarding the rea-  
sonableness of the decreased rates  
which the commission placed in ef-  
fect on December 1 by an order is-  
sued last Monday. This announce-  
ment was made in Salem yesterday in  
a statement by W. J. Phillips of  
Portland, divisional commercial su-  
perintendent of the company, through  
W. H. Dancy, local manager of the  
telephone company.

The statement asserts that the  
rates as fixed are too low to afford  
the company a reasonable return, and  
that the commission was without legal  
authority to make the order for refund  
as made in the commission's de-  
cree. Mr. Phillips admits that the  
company's service is not as good as  
the public is entitled to but attrib-  
utes this to industrial conditions and  
he transfer from federal to private  
control.

His statement in full follows:  
"The commission's order reached me  
the afternoon of December 1, and  
as found therein, December 1, was  
designated as a reasonable time for  
the order to become effective. It will  
be appreciated that this coincidence  
could not be avoided by the com-  
mission, but it nevertheless pre-  
sented to us an exceedingly compli-  
cated and difficult problem which  
could not be instantaneously solved.  
As I said in my first statement, how-  
ever, the company and its officers  
and engineers immediately devoted  
themselves to an analysis of the or-  
der. This analysis having been com-  
pleted, I am glad to announce for  
the information of the telephone sub-  
scribers of the company and the pub-  
lic generally what our attitude to-  
ward this order will be, and I think  
candor calls for an expression, in a  
brief way, of our opinion with refer-  
ence to the order, itself.

**Conditions Complicated**  
"First, and most important, I de-  
sire to announce on behalf of the  
company that, with the best good  
nature that we can command, we pro-  
pose to obey this order, both in let-  
ter and in spirit. This is not be-  
cause we are satisfied with the order,  
nor because we concede that the or-  
der is fair and reasonable, but we  
recognize that the commission was  
confronted with some exceedingly  
grave problems from its point, and  
that our effort to make our position  
plain before the public, has been  
greatly complicated and made ex-  
ceedingly difficult by the fact that the  
hearing and presentation involved  
have run concurrent with govern-  
ment control and the passing of that  
control with all the difficult ques-  
tions of jurisdiction as well as the  
relative equities involved. For this  
reason we are not disposed to re-  
spond in detailed criticism of a re-  
sult which we think is in fact quite  
unfair.

**Authority Held Lacking**  
"First, with reference to the or-  
der and its disposition of the mat-  
ter of legal rates: It is the opinion  
of the company, guided by its legal  
counsel, that as a matter of law the  
commission has no authority to make  
an order of refund such as has been  
attempted. However, regardless of  
our legal conclusions, the fact re-  
mains that in course of the hearings  
in this proceeding the company vol-  
untarily pledged itself to make re-  
funds from August 1, to all its pa-  
trons of any difference in the rates  
collected and the rates as established  
by the commission. In view of the  
legal opinion received by the com-  
mission from the attorney general,  
the commission has gone somewhat  
beyond this stipulation.

"Our position is that whether or  
not we are bound by this commis-  
sion's conclusion, we are bound by  
our voluntary stipulation, and any  
effort on our part to reconcile the  
difference between these two view-  
points would be a hopeless matter  
to make plain to our many patrons.  
For this reason and a desire to avoid  
further misunderstandings with our  
patrons on this point, we will carry  
out our stipulation modified to con-  
form to the order which the com-  
mission has made. This puts us in  
the position of conforming strictly  
to the order as made by the com-  
mission whether or not it is legal,  
and further puts us in the position of  
(Continued on page 2.)

## EMMA GOLDMAN BIDS PALS GOODBYE HABEAS CORPUS PROCEEDINGS FILED ANARCHISTS REMOVED TO ISLAND

NEW YORK, Dec. 5.—Alexander  
Berkman and Emma Goldman, Amer-  
ica's two most notorious anarchists  
spent tonight at Ellis Island. They  
were surrendered to the immigration  
authorities at noon upon demand of  
the department of labor to await de-  
portation to Russia after preaching  
their doctrines in the United States  
for 30 years.

While on the way to the island,  
their counsel, Harry Weinberger, was  
appearing before Federal Judge Ma-  
yer with a petition for writs of ha-  
beas corpus in a last effort to nullify  
the deportation decree. The writs  
were granted and are returnable  
Monday. Weinberger said he would  
insist that his clients be produced in  
court before Judge Mayer, who sen-  
tenced them to two years for ob-  
structing the draft law.

There was no way of determining  
whether legal proceedings would  
delay the departure of Berkman  
and Miss Goldman for Russia. The  
government has not announced  
when it expected to have a ship av-  
ailable and Weinberger declined to  
state whether he would take their  
cases to the United States supreme  
court if the lower courts decided  
against them. It was pointed out,  
however, that the \$30,000 in liberty  
bonds used as bail for them would  
be available to carry on a legal bat-  
tle.

The habeas corpus petition was  
based upon the contention that Miss  
Goldman is an American citizen by  
marriage; that the constitutional  
right of free speech has brought  
within the pale of the law any radi-  
cal utterances they may have made  
and that deportation to soviet Russia  
would be illegal because the United  
States has not recognized the bolshe-  
viki.

## REDS REMOVED TO ISLAND

Meanwhile, Berkman and Miss  
Goldman will be held at Ellis Island  
with 82 other radicals awaiting de-  
portation. After they were surren-  
dered today, searched and inspected  
by doctors, Berkman was put in a  
room with seven ringleaders of the  
recent hunger and silence strike  
against deportation hearings, while  
Miss Goldman was sent to the quar-  
ters of two girl anarchists who partic-  
ipated in the hunger strike.

Fearing immediate deportation of  
the two anarchists, half a dozen wo-  
men radicals accompanied them on  
the trip to Ellis island and kissed  
them both farewell.

Miss Goldman's "farewell" mes-  
sage to her followers was:  
"Love and comradeship to all lib-  
eral and revolutionary people."  
Both predicted a revolution in this  
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## CABINET ACTS TO TIDE OVER COAL FAMINE

Fuel Administrator Is Called  
to Capitol to Consider Big  
Problems Resulting From  
Present Fuel Situation

## OPERATORS SAY REPORTS VICIOUS AND MISLEADING

Compromise With Mine Work-  
ers in Payment of Wage De-  
mand Held Impossible

WASHINGTON, Dec. 5.—The gen-  
eral coal situation was discussed to-  
day at a meeting of the president's  
cabinet but there was no intimation  
of what new step was contemplated  
by the government to meet growing  
appeals from various sections of the  
country for enough fuel to keep the  
big industries in operation.

Fuel Administrator Garfield sum-  
moned here from his home in Massa-  
chusetts to take up some of the big  
problems developing in the last few  
days, and Director General Hines  
told the cabinet what had been done.  
Dr. Garfield later conferred with de-  
partment of justice officials and the  
executive committee of the bituminous  
coal operators. The fuel ad-  
ministrator indicated that coal pro-  
duction was increasing over last  
week.

**Reports Held Misleading**  
The operators' committee issued  
a statement characterizing as "vi-  
cious and misleading" published re-  
ports that they were considering pro-  
posals to compromise with striking  
mine workers by paying more than  
the 14 per cent increase suggested  
by Dr. Garfield, and increasing the  
price of coal. There will be no com-  
promise, they said.

In connection with the action of  
the federal court at Indianapolis  
ordering a grand jury to investigate  
their actions with a view to bring-  
ing indictments under the Lever act,  
the operators sent a telegram to Dis-  
trict Attorney Sims at Indianapolis ask-  
ing that the hearings be expedited.

The southwest coal committee an-  
nounced tonight it had received many  
reports that retailers in various parts  
(Continued on page 2.)

## TABOR IS TAKEN AS SUSPECT IN MURDER ACTION

Brother of Woman Found in  
Trunk Held by Sheriff in  
California

## GUILT OF CRIME DENIED

Mother of Maude Tabor Will  
Be Arrested Today for Po-  
lice Investigation

WEED, Cal., Dec. 5.—Walter Ta-  
bor, alleged to be a brother of the  
late Miss Maude Tabor, whose dead  
body was found in a trunk at Law-  
ton, Mich., a few days ago, was ar-  
rested here today by Sheriff Andrew  
Calkins. Mrs. Lester Tabor, his  
mother, arrested and held at Bray,  
will be brought here tomorrow, it  
was said by the sheriff.

## PRISONER DENIES KILLING

YREKA, Cal., Dec. 5.—Sheriff A.  
S. Calkins returned to Yreka tonight  
from Weed where late today he took  
into custody Walter Tabor, brother  
of Miss Maude Tabor, whose body  
was found in a trunk at Lawton,  
Mich., last Monday. Tomorrow Sher-  
iff Calkins will go to Bray, where he  
will place under arrest Mrs. Lester  
Tabor, believed to be the mother of  
the dead girl.

Tabor when arrested made empha-  
tic denial of any connection with the  
death of his sister, the sheriff said.

## ELECTION INFORMATION.

The voting place for the spe-  
cial school election Monday will  
be in the sample room at the  
right of the entrance to the  
Marion hotel on South Commer-  
cial street.

The election is called for a  
vote on the question of an addi-  
tional tax levy of 1 mill for the  
purpose of increasing the pay  
of teachers.

The polling place will open at  
2 o'clock in the afternoon and  
will remain open until 7 o'clock.  
Taxpayers only, who reside  
within the Salem school dis-  
trict, are entitled to vote.

## MISS MARJORIE KAY, WHOSE ENGAGEMENT TO HOLLIS HUNTINGTON IS FORMALLY ANNOUNCED



At a formal dinner at the  
Gamma Phi Beta sorority  
house at the University of Ore-  
gon Wednesday night an-  
nouncement was made of the en-  
gagement of Miss Marjorie  
Kay, daughter of Mr. and  
Mrs. Thomas B. Kay of Salem,  
to Hollis Huntington of The  
Dalles, famous in Oregon ath-  
letics as star fullback on the  
university eleven.

Miss Kay and Mr. Hunting-  
ton are both members of the  
senior class, and both among  
the most prominent students

on the campus. Miss Kay is  
an honor student majoring in  
economics, is the woman ten-  
nis champion of the university  
and an officer of the tennis  
club. She is a member of the  
Gamma Phi Beta sorority.

Mr. Huntington returned to  
the university last fall after  
serving with the United States  
marines, where he won further  
fame in football.

Thomas B. Kay, father of  
Miss Kay, was formerly state  
treasurer for eight years and  
is head of the Thomas Kay  
woolen mills.

## 2 SENATORS FIND WILSON ON QUI VIVE

Report of Release of Jenkins  
from Mexican Prison Comes  
in Midst of Interview With  
President

## SITUATION RELIEVED BY LATE DEVELOPMENTS

Executive Very Weak But  
Mentally Keen—Jests  
About Rumors

WASHINGTON, Dec. 5.—Two sen-  
ators delegated by the foreign rela-  
tions committee to confer with Pres-  
ident Wilson on the Mexican crisis  
and report whether, in their opinion,  
the president, by reason of his ill-  
ness, was unable to exercise his func-  
tions, left the White House after a  
conference of three-quarters of an  
hour with him today agreeing that  
he was in touch with recent devel-  
opments and was mentally keen enough  
to form judgments on the questions  
confronting the nation.

**Jenkins Is Freed**  
In the midst of the conference  
while Senator Fall, New Mexico, was  
outlining the evidence on which he  
was urging a break of diplomatic rela-  
tions, the president and his callers  
were informed that W. O. Jenkins,  
the American consular agent jailed at  
Puebla, Mexico, had been released.  
The advice left some doubt as to  
the circumstances but the develop-  
ment was accepted generally as re-  
lieving somewhat relations between  
the two governments.

The discussion with the president  
produced no definite conclusion as to  
Mexican relations, but it was regard-  
ed everywhere as bearing on a sub-  
ject of endless speculation in con-  
gressional circles—the extent to  
which the long illness of the chief ex-  
ecutive has rendered him physically  
incapable of the duties of the presi-  
dency.

**Wilson Weak But Keen**  
Propped up in bed the president  
talked of many of the features of  
the Mexican tangle. With a right  
hand and arm free above the bed  
cover, the senators said, he shook  
hands with them and took up and  
read papers which were on the table  
beside him. He was described as  
weak and nervous, but it was said he  
jested about exaggerated reports of  
his illness, and promised within a  
few days to give congress his advice  
on what it should do about Mexico.

**No Decision Yet**  
"My opinion is that he has been  
a very sick man, but is improving,"  
said Senator Hitchcock. "He has a  
pretty good idea of the Mexican sit-  
uation, and although he did not give  
a final decision on the subject he in-  
dicated that too many serious con-  
siderations were involved to warrant  
hasty action."

Announcement of Jenkins' release,  
it was said by those present, gave  
the conference its only dramatic  
turn. The news was telephoned to  
the White House after the senators  
had arrived, and was communicated  
to Dr. Grayson by Secretary Tumulty.  
Returning to the sick room while  
Senator Fall, one of the bitter-  
est critics of the administration's  
past policy toward Mexico, was in  
the midst of his argument for a di-  
plomatic break, Dr. Grayson informed  
the president that Jenkins had been  
set free.

**Fall Continues Argument**  
All of those present expressed gra-  
titude with the news, and then Sen-  
ator Fall resumed his statement. He  
is chairman of a sub-committee which  
has investigated the whole subject  
of Mexican relations, and he told the  
president much of the evidence  
(Continued on page 6.)

## CATHOLICS WILL BUILD NEW HALL

Modern Fireproof Structure  
to Replace Old Landmark  
on Chemeketa

A decision has been reached by the  
people of St. Joseph's parish to erect  
a new hall on the site of the present  
St. Joseph's hall on Chemeketa street  
between Cottage and Winter streets.  
The old building will be razed.

All details as to dimensions and in-  
terior arrangements have not been  
completed, but Rev. J. R. Buck, pa-  
stor of St. Joseph's Catholic church,  
is working these out. However, the  
building will be a modern fireproof  
structure two stories high. One floor  
will contain a large assembly hall,  
also equipped with a modern stage.  
A gymnasium, club rooms, and a mod-  
ern kitchen for the various social ac-  
tivities of the parish will be other  
features of the building. The struc-  
ture will be double the size of the  
present hall.

The new hall is to be erected in the  
immediate future. A new church to  
replace the present structure which  
was dedicated in 1889, is also con-  
templated, but not immediately.

The old St. Joseph's hall which is  
to be replaced by the new building is  
a Salem landmark. It was originally  
the first Catholic church in Salem,  
and as such was dedicated April 16,  
1864, by Most Reverend Archbishop  
F. N. Blanchet, assisted by Very Re-  
verend Father Lelorme, V. G., and  
Rev. Father S. Goens. It was known  
as St. John's church.

From the time of the first ded-  
ication services of St. John's church to  
the time of the erection of the new  
church under the patronage of St. Jo-  
seph, 1889 the following priests were  
in charge: From June, 1864, to Oc-  
tober, 1872, Father Sebastian Goens;  
November, 1872, to September, 1873,  
Rev. Father F. DeCraene; October,  
1873, to February, 1874, Rev. G. C.  
Thibaut; February, 1874, to Decem-  
ber, of the same year, Father Mc-  
Cormick; December, 1874, to August,  
1879, Father Dieleman; September,  
1879, to December, 1887, Rev. V.  
Capelle and from then Rev. Father  
White took charge.

## Twenty-two Official Hunters Work in State

Twenty-two official hunters in  
Oregon during the month of October  
worked a total of 575 days and  
killed 204 animals, 97 per cent of  
which were predatory, according to  
a report in the office of Dr. W. H.  
Lytle, state veterinarian.

The animals killed were 171 co-  
yotes, 24 bobcats, one mountain lion,  
one bear, five badgers, one skunk and  
one coon. The total in salaries and  
expenses paid out was \$2320.92 of  
which \$756.30 was from the Oregon  
cooperative fund.

Reports have reached here of co-  
yotes killing stock in eastern Oregon  
and in some places women and chil-  
dren are reported to have been at-  
tacked by coyotes afflicted with rab-  
ies. In most instances the animals  
were killed before damage was done.

## MURDER LAID TO BOYS PAIR CAUGHT IN UTAH

## CHINESE ALLEGED VICTIM

ASTORIA, Or., Dec. 5.—Two  
youths suspected to be the assass-  
ins of Frank Gowan, a Chinese  
clothing merchant, who was murder-  
ed in his store here November  
29, were captured today at Clear  
Creek, Utah, according to news re-  
ceived tonight by Sheriff Nelson  
from Sheriff Kelter of Price City.  
The prisoners are William Wilson,  
aged 19, and P. A. Branner, aged  
17. The evidence against them,  
while circumstantial, was said by  
the sheriff to be strong.

## JENKINS FREED ON YANK ORDER

American Consular Released  
After Civil Authorities  
Post \$500 Bail

WASHINGTON, Dec. 5.—William  
O. Jenkins, American consular agent  
imprisoned at Puebla, Mexico, was  
released Thursday night.

The American embassy in Mexico  
City reported his release in an offi-  
cial dispatch received by the state  
department this afternoon and al-  
most at the same time news dis-  
patches were received from Mexico  
City which said a check for \$500 had  
been deposited with the civil authori-  
ties at Puebla.

This difference in the two reports  
seemed to raise some doubt as to  
whether Jenkins was released un-  
conditionally on the diplomatic rep-  
resentation of the United States gov-  
ernment or whether he had been re-  
leased on bail, as the Mexican au-  
thorities contended he could.

The state department, however,  
took the view that Jenkins had been  
released on its diplomatic representa-  
tions.

## SEWER EXPLOSION STARTS PANIC FLAMES SHOOT HIGH INTO THE AIR SEVERAL PERSONS ARE INJURED

NEW YORK, Dec. 5.—Hundreds  
of theater goers were thrown into  
a panic tonight by an explosion of  
sewer gas in the White Light dis-  
trict, which blew the tops off a score  
of manholes, sending blue flames  
leaping above the pavement. Police  
reserves had to be summoned to con-  
trol the frightened crowds.

Hundreds of persons in adjoining  
buildings rushed into the streets,  
believing that an earthquake had  
occurred. Windows were shattered  
for blocks and electric lights thrugh-  
out the region were extinguished.  
The ringing of private burglar

alarms added to the confusion. At  
Broadway and Twenty-seventh street  
a wide crack appeared in the side-  
walk.

Several persons were severely in-  
jured by flying glass.

A building occupied by the war  
camp community service in West  
Twenty-seventh street was badly  
shaken and practically all windows  
broken.

The heavy plate glass windows in  
the New York Telephone company  
building in Broadway were shattered.  
The explosions continued for al-  
most an hour.