

DANIELS REPLIES TO CONTENTION OF SIMS

SELECTION OF JURY HOLDS UP RADICAL TRIAL

State Now Exercising Right of Challenge; Two Excused from Duty, Illness Delays Court Opening

Montesano, Wash., Feb. 3.—The state exercised its third peremptory challenge today in the trial of eleven alleged I. W. W. charged with the murder of Warren O. Grimm, one of the victims of the Centralia Armistice day shooting. It was the seventh peremptory challenge to be issued since the beginning of the efforts to secure a jury on January 26.

Two Are Excused. S. L. Tuffee, electrician, Aberdeen, was the man excused. In his place F. E. Switzer, farmer of Oakville, was called for examination. Mr. Switzer was seated.

The defense then exercised its fifth peremptory, excusing G. F. Burns, oiler of Hoquiam. This makes a total of eight peremptory challenges that have been used, leaving only ten more before a permanent jury is secured. Counsel for both the prosecution and the defense estimated that a jury might be secured by Thursday afternoon.

One Defendant Ill.

Opening of court was delayed half an hour this morning when it was reported that Bert Bland, one of the eleven defendants was ill. His condition was found to be not serious, however, and he took his place in the courtroom with the other defendants. Of the names of the regular January venire left in the box, only three answered a roll call this morning, seven being reported ill. They were excused for the term and it was expected the special venire of 200 would be called upon today. Members of this special venire have been attending court since the trial started January 26.

NEGRO ATTEMPTS TO LURE GIRL A WAY; IS HELD IN CITY JAIL

Charles Jones, 38, a colored man, is being held in the city jail, following his arrest Monday night by Officer Vitor near the Southern Pacific train yards. Jones is said to have attempted to induce a small girl, while she was going to school Monday morning, to go with him down into the creek bottom near Mission street, and the Tew Park school. The girl's mother notified police and caused Jones' arrest. He is booked for investigation. Shortly afterward Monday Traffic Officer Moffitt hastened to the Tew Park school in response to a complaint that five hoboes were bothering the children as they were going to school. The officer ordered them to leave town. Jones was a member of the party. The quintet were arrested later, and all but Jones were released Tuesday by Chief Welsh.

O. E. Train Service Normal Depot Schedule Not Changed

J. W. Richey, Oregon Electric agent for Salem, reports that track reconstruction on High street has resulted in a great deal of misunderstanding, many persons evidently being of the opinion that the trains are receiving and discharging passengers only on High street at Marion. Others seem to be under the impression that trains are running only on the main line on Front street. For the information of all interested, Mr. Richey points out that all Oregon Electric trains arrive and depart on regular schedule from the depot at High and State streets, with the exception of the Salem-Woodburn local, which arrives at Marion street at 8:15 and departs from Marion and High at 8:55. This train is known as the "school train" and makes the Marion street stop as a matter of convenience to students. When track reconstruction on High street is completed, normal use of the High street tracks will be resumed.

Cherrians to Hold Regular Monthly Meeting Tonight

The regular monthly meeting of the Cherrians will be held at 8 o'clock Tuesday night in the assembly room of the Commercial club, according to an announcement in the morning by King Bing Clancy. All members of the Cherrians and their friends are urged to attend. Entertainment, arranged by Charles Clancy, will be a feature of the meeting. Regular business will be taken up.

REASONS FOR CHANGING RECOMMENDATIONS OF KNIGHT BOARD IS GIVEN

Admiral's Opinion Influenced by Long Shore Duty, Secretary Declares; Commanders of Ships Attacked by Submarines Defended as Most Deserving of Medals for Meritorious Conduct in Face of Danger

Washington, Feb. 3.—Personal differences developing between Rear Admiral William S. Sims and Admiral Henry B. Wilson, former commander of American naval forces off the French coast, were followed by the omission of Admiral Wilson's name from the list of officers recommended for medals by Admiral Sims, the senate committee investigating naval decorations was told today by Secretary Daniels.

"While Admiral Sims recommended young officers who served well in minor posts for Distinguished Service Medals and other flag officers under his command for the same honor," said Mr. Daniels, "he omitted that distinguished admiral who commanded all American naval forces off the French coast, Rear Admiral Wilson, now commander in chief of the Atlantic fleet."

Wilson's Service Good. "When the history of the war is written Admiral Wilson's service will stand as high as that of Sims, Mayo, Benson or Rodman."

Washington, Feb. 3.—Taking up the contents of Rear Admiral William S. Sims in the matter of naval medals awards, Secretary Daniels today before the senate investigating sub-committee took emphatic issue with the admiral. The secretary went into detail in explaining changes he made in conferring decorations as recommended by the commanding officers of the navy and by the Knight board of medal awards.

Influenced by Shore Duty. Asserting that Admiral Sims while on shore duty (both in the Spanish-American and world war) "demonstrated ability of a high order," Secretary Daniels said "the position of Rear Admiral Sims in placing shore duty above sea duty in the danger zone is, no doubt, influenced by his own record." Figures were presented by Mr. Daniels showing that during the last 25 years Admiral Sims had served about nine years at sea.

As justifying his contention that individual duties ashore are necessarily of secondary importance to duties afloat, Mr. Daniels asserted. "On shore a man decides important questions with time to weigh the pros and cons and if he makes a mistake his error of decision is not immediately followed by disastrous results. At sea the commander is in imminent peril of death. He must make momentous decisions in the flash of a single moment, often when his ship has been attacked, and when coolness and poise are necessary to save the lives of scores of hundreds of men. A mistake in this emergency is fatal."

Officers Deserving. In support of his contention that a commander of a ship sunk or damaged by submarine attack was entitled to a medal if he showed proper qualifications even though the ship was unable to combat the submarine, Secretary Daniels cited numerous examples in American naval history and also pointed to instances of such awards by the French government during the world war.

"In the stiletto attack of submarine warfare," said Mr. Daniels, "it is not the fact that a man strikes or is struck that tests true mettle and true naval leadership. The question is: Does he play the part of a man, with chivalry thought of others and of his country? And has he by preparation and foresight done all that is possible to meet any and every emergency? And when he faces a court of his brother officers, do they find he has measured up in the terrible ordeal to the high naval traditions? Admirals Mayo and Gleaves and Vice Admiral Grant recommending commander officers under them for Distinguished Service Medals who displayed these high qualities when their ships, struck by mines or torpedoes, were sunk or damaged. The board of awards approved their recommendations. The greatest thing that a man ever does in this world is to turn a stumbling block into a stepping stone. If medals are not given for this sort of noble courage and coolness and direction in supreme danger, what on earth are they designed for?"

Referring to Admiral Sims statement that he had not recommended any enlisted men for medals because "we had nothing to give them," the secretary called the committee's attention to the act creating the awards which he said made no distinction between an admiral, captain and enlisted man.

COUNCIL NAMES WELSH AS NEW POLICE CHIEF

Petitions Requesting Appointment of Moffitt Disregarded; Ward Boundry Issue Is Cause of Lively Tilt

By a vote of eight to four Jack Welsh, chief of police here in 1915 and 1916, and at present an engineer at the Wittenburg-King plant, Monday night was appointed chief of police to succeed Percy M. Varney by the city council. Verden M. Moffitt, traffic officer, was the other candidate.

No heed was paid to a petition asking the council to appoint Traffic Officer Moffitt that had been presented to the council by 59 business men of the city. Gerald Volk, member of the police committee, nominated Mr. Welsh. Utter Calls Volk. This brought Councilman Utter to his feet, declaring: "I would like to ask Mr. Volk a question. Didn't you say two weeks ago that you wished the appointment of a chief postponed because of the absence of Mr. Craig, chairman of the police committee? You did; and I would like to know why you are so much in haste to make the nomination now?"

"The records don't show that," Volk retorted. "I know the records don't," Utter responded. "But my memory, and the records," (Continued on page two)

SECOND ATTEMPT TO SET ASIDE PITTOCK WILL FILED TODAY

Portland, Or., Feb. 3.—An amended petition seeking to break the will of the late Henry Pittock, has been filed in the probate court on behalf of Mrs. Caroline P. Leadbetter, wife of F. W. Leadbetter, attacking the validity of the last testament of her father on similar grounds but with more wealth of detail than the first petition, from which three important clauses were stricken by Circuit Judge Tazewell, January 22.

The new attempt on the will, it was learned today, centers about the allegation of undue influence, the petitioner alleging that C. A. Mordean and O. L. Price, trustees under the will, conspired to "secure large influence, power, emoluments, salaries and commissions" by persuading the late Mr. Pittock to draw up an instrument preventing heirs at law and the minority stockholders of the corporations in which deceased was a stockholder from having any power to regulate the business policy of the estate or corporation, or enjoying any of the Pittock estate except "a relatively insignificant income portioned out monthly" by the creation of a 20 year trust fund.

G OLD COIN SHIPPED New York, Feb. 3.—Gold coin valued at approximately \$10,000,000 will be shipped to South America beginning today. Most of the metal is consigned to banks in Argentina. Present shipments are believed to be for the purpose of stabilizing exchange.

MINE WORKERS HEAD SAYS WAGE FIGURES OF OPERATORS FALSE

Washington, Feb. 3.—After summarizing arguments presented by the United Mine Workers before the coal strike settlement commission, John L. Lewis, acting president of the union, today attacked the figures of miners earnings presented by the operators yesterday, questioning their dependability and declaring they carried "their own condemnation" even if conceded to be "representative."

"The operators themselves," Mr. Lewis said, "in submitting these earnings statistics, have produced evidence that overwhelmingly supported contentions that miners wages are pitifully inadequate."

Citing the operators figures showing that in 1919 the average monthly earnings of miners in northern Illinois were \$33.84, Mr. Lewis declared such an average was "pathetic."

Newberry Denies Charges of Conspiracy To Secure Seat

DEFENSE SAYS SENATOR ENTERED RACE BECAUSE OF URGING OF FRIENDS

Grand Rapids, Mich., Feb. 3.—Truman H. Newberry entered the 1918 senatorial campaign in Michigan in the solicitation of others and not in furtherance of a scheme to get a seat in the senate, said James O. Murfin of Detroit, in outlining to the jury in the United States district court the attitude the defense will assume toward the charges of conspiracy and fraud for which 123 men are on trial.

Judge Murfin explained the defense's view of the specific details of the offense charged in the six counts of the indictment, emphasizing that conspiracy is the essence of the charges. It was pointed out that on the first four counts "the gist of the charge is not fraud in the election, but that these respondents are charged with conspiring to aid, abet, assist and encourage Truman H. Newberry to commit an offense, to-wit: The offense of expending more of his money than the law allows."

Expenditures Not Limited. It was further argued that "under the Michigan law, as long as expenses come within the eleven enumerated classes in the statute, there is no limit as to the amount of money a committee of a candidate's friends can spend in his behalf."

"It is my purpose," Judge Murfin told the jurors, "to point out to you in exact detail everything that was done by anyone connected with this campaign. The campaign was unusually hot, and in analyzing and considering what these respondents did, the atmosphere under which they did it should be considered."

"Our country was at war and the situation was critical in the extreme. The fate of the civilized world was hanging in the balance."

"While there had been rumors in Michigan that Henry Ford would be a candidate for the senate, his candidacy was actually announced on June 14, 1918."

"Rightly or wrongly, there was a very general feeling that Mr. Ford did not represent the type of American who at that critical juncture should represent his state in the United States senate."

"Rightly or wrongly, many people remembered his campaign against military preparedness. Many people remembered his well meant, misguided efforts to bring about what now appears would have been a German peace. Many people were bitter over the fact that he was not active in the war and that none of his family had become active in the war."

"On the other hand, Commander Newberry had had an honorable record in the Spanish-American war, when in the navy. He had been secretary of the navy in the cabinet of that militant American, Theodore Roosevelt."

"Within 48 hours after our country entered the world war he volunteered and in the spring of 1917 was commissioned lieutenant commander and made aide to the commandant of the third naval district at New York. His brothers and his two sons were also in military service."

"This combination of circumstances roused many a man in Michigan to the belief that it was his patriotic duty to do all in his power to assure the selection of Commander Newberry and we expect to show conclusively that they were prompted not by pay, but by patriotism—that they were actuated not by avarice, but by Americanism."

"Getting into this campaign was not the choosing of Commander Newberry and he entered with the utmost reluctance and only after repeated urging."

"As early as August, 1917, a group of representative citizens had a conference on the senatorial situation. In addition to the governor of the state there attended a publisher, a banker, a lawyer, a soldier and a business man."

Says Newberry Reluctant. "After canvassing the qualifications of other distinguished republicans it was their composite judgment that they should organize a movement to elect Truman H. Newberry. Their desires were communicated to the commander, (who, by the way, never left his post of duty from the spring of 1917 until the war was over). Mr. Newberry expressed doubts as to the propriety of his being a candidate and refused to consider the proposal. In December and January this movement began to gather force until finally the commander seriously set out to determine whether it was his duty and would be desirable for him to run."

"It was not until this had all happened that he consented to the use of his name. He stipulated that he could not leave his duties; that he could not be active and that he could not be expected to contribute one dollar to this movement. This determination not to be active nor to contribute one cent was religiously adhered to by him from the beginning to the end and the proof will positively show that not one dollar of his money was ever handled by any one."

MOVE TO JOIN ALL VALLEY COUNTIES IN LEAGUE BEGUN

The first step to organize the counties in Central Oregon into a Central Willamette Valley Federation, an idea conceived by Manager T. E. McCroskey of the Salem Commercial club, was taken at a meeting Monday night of the McMinnville Commercial club.

The regular monthly meeting of the Marion County Community Federation and annual election of officers, will be held Tuesday night at the Commercial club auditorium at 8 o'clock. Delegates from all parts of the county are expected to attend. Discussion during the evening is expected to center on the plans for the Central Willamette Valley Federation.

Meeting on Tonight. The regular monthly meeting of the Marion County Community Federation and annual election of officers, will be held Tuesday night at the Commercial club auditorium at 8 o'clock. Delegates from all parts of the county are expected to attend. Discussion during the evening is expected to center on the plans for the Central Willamette Valley Federation.

British, Belgians and French Plan Alliance

Paris, Feb. 3.—Discussion relative to the question of a defensive alliance between France, England and Belgium have progressed materially during recent conferences at Ypres, according to a Brussels dispatch to the Excelsior. It is said the Belgian government has drafted and sent to the French government a general outline for the projected common defense in case of a future German attack.

Youngstown Newspapers Grant Employees Bonus

Youngstown, Ohio, Feb. 3.—Newspapers here today announced a ten per cent bonus to both mechanical and editorial forces effective February 1 to continue until the cost of living decreases.

The raise follows a similar 10 per cent bonus effective last October 1.

Concrete Ship Lost Found Wrecked on Beach

Astoria, Or., Feb. 3.—A wireless message was received today by the coast guard cutter Algonquin stating that one of the concrete water tenders which were lost a week ago while being towed to San Francisco by the tug Slocum has drifted ashore near Grays Harbor jetty. The hull was in three pieces and there was nothing to indicate its name.

The stranded craft is believed to be the Captain Colquhoun, which broke loose from the tug off the Columbia river lightship last Monday.

GERMAN PRINCE HEADS LIST OF WAR OFFENDERS

Frederick William and Other Sons of Former Kaiser Are Among Those Whose Extradition Is Demanded

Paris, Feb. 3.—The list of Germans accused by the allies of war crimes and whose extradition is to be demanded, is headed by former Crown Prince Frederick William and several other sons of the former German emperor. The list will be handed to Baron Kurt Von Lerner, the German representative here this afternoon.

Included in the list are Dr. Theobald Von Bethmann-Hollweg, former German imperial chancellor, Field Marshal Von Hindenburg, General Erich Ludendorff, formerly first quartermaster general; Field Marshal Von Mackensen, Crown Prince Rupprecht of Bavaria, the Duke of Wurttemberg and a number of other princes and titled officers.

Paris, Feb. 3.—The entente rejoinder to the refusal of Holland to accede to the allies demand for the extradition of former Emperor William is imminent, according to the Petit Parisien. The newspaper says that, while the vote will be generally conciliating toward Germany it will consider, in case of a new refusal by Holland, measures going as far as the breaking of diplomatic relations or a naval blockade of Dutch ports.

FIRST WOMAN TO BUY STOCK IN HOME FIRM SIGNS FOR \$250 LUMP

The first woman in Salem possessing sufficient civic pride to "plunge" into the stock market here and buy stock in the Salem Home Builders Association is Mrs. L. G. Curtis, who conducts a millinery establishment at 125 North High street. Tuesday morning she appeared at the Commercial Club and signed up with Manager McCroskey for \$250 worth of stock in the company.

Final figures could not be obtained during the day, and the latest figures released showed slightly more than \$45,000 worth of stock sold, leaving a deficit of \$500. The committee in charge of stock sales was continuing its work Tuesday. Chairman Thomas B. Kay said that he hoped to be able to announce the sale of the required \$50,000 in stock by Thursday.

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Revolutionists Control Vladivostok Says Report

Washington, Feb. 3.—Revolutionists have entered Vladivostok and are in charge of the town, the war department was advised today by Major Leon Graves, commanding the American expeditionary force in Siberia.

Herring Industry May Be Rival of Salmon Fishing

Cordova, Alaska, Jan. 6.—(By mail.)—The herring industry, centering at Latouche, on Prince William Sound, is rapidly developing and may eventually rival the salmon industry in importance, according to local officials of the United States forest service. During 1919, 11,845 barrels of herring were shipped out.

Figures compiled by the forest service show that in addition to the herring pack, 238,000 cases of salmon and 20,243 cases of clams were handled during the year at Prince William Sound, the entire product being valued at nearly \$5,000,000.

An eagle kills its prey with its claws and never with its beak.