OREGON: Tonight and Tuesday rain west, rain or snow east potion; strong southeasterly winds.

LOCAL: Rainfall, .08; southerly winds; cloudy; maximum 49, Mini-mum 37; set 40; river 4.8 feet and

Capital Journal

onviction of Berger and Four Others Reversed

Iroads ld Near Bankrupt tives Say Wage

e Must Be Cut Working Agreet Abrogated

the railroads of the Uniunless they are assured means for a reduction in expenses, the railroad lawas told today by the n of Railway Executives W. W. Atterbuck, chaira labor committee of the election made the pre

tals that if there were abrogation of the warat agreements involving rules and conditions, they seek a reduction of basic at least three months order becomes effective, interval would be used the efficacy of economies ght be instituted free limitations of present

dy, however, it was statwould be need for a rethe road is to be cut where rates may be re-

oads asked the board to it once the agreement e basic rates of unstrilled to 48% cents an hour. ed that this was a highan was being paid other and that it operated to

and proposed that rules king conditions in effect or 11, 1917, be re-matab-

makate not now earn with present operating E even their bare operathis leaves them without mand anable to meet that the emergency

and passenger rates or a a operating expenses, ber board can preven ophe of bankruptey. bury said. "by declaring sational agreements rules king conditions coming the war period are ter-ence; that the question de and economical rules acconditions shall be reand its own employes, as the basis for such negothe agreements, rules and disons in effect on re-established ar Measure Scored,

onal agreements, rules a conditions forced on e as war measures caus We and inefficiency. mate that the elimination ote would reduce railway t expenses at least \$300. per annum, it would be t to save this sum by re-conditions of efficient and

here that as the wager of simpleyes were the last to be should be the last to so but we do insist that ds wage, an honest thay's

al operation than to re-

ddie has a right to insist thest be obtained. The relired executives with 1 bestion of the regulatory not the encloyes, will as a sessible reduce the cost operation so no to eventa readjustment of basic be required. Meantime be required. Mountains underests of all concern-ing labor, that the rules ling conditions shall be shorne to be bighest of-

Commutation of Sentence of **Eugene V. Debs Recommended**

Washington, Jan. 31.—Commutation of the sentence of Eugene V. Debs, effective next February 12, has been recommended to President Wilson by the department of justice, it was learned today at the White House.

WILSON REFUSES TO COMMUTE SENTENCE Washington, Jan. 31.—President Wilson refused today to commute the ten year sentence imposed upon Eugene V. Debs for violation of the espionage act.

Bulletins

Washington, Jan. 31.-Laws of Alaska imposing taxes on py-products of the herring fishing industry were upheld today by the supreme court.

Washington, Jan. 31.-Reduction of the navy's enlisted personnel to a maximum of 100,000 men as compared with a present possible maximum of 143,000 is provided for in the naval appropriation bill to be reported to the house tomorrow.

Washington, Jan. 31.—The appeal of Judge Ben B. Lindsey of the Denver juvenile court from conviction on charges of contempt of court, was dismissed today by the supreme

Marion, Ohio, Jan. 31.-H. C. Forry, Marion county treasurer, today confessed, police say, that he embezzled approximately \$15,000 while serving as treasurer and deputy treasurer and that he staged a fake holdup last Wednesday to cover a theft of more than \$14,000 which he expected to use in making good his shortage.

Washington, Jan. 31.-Walter W. Warwick of Ohio, now comptroller of the treasury, and Evaris A. Hayes, a former had demanded \$2000.

republican member of the house of representatives from ADD ONE—LOST WOMEN comptroller of the treasury, and Evaris A. Hayes, a former California, were nominated today by President Wilson to fill the vacancies existing in the directorate of the war finance

Washington, Jan. 31.-The republican petition for cloture of the emergency tariff bill was presented today in the senate by Senator Penrose, of Pennsylvania, in charge of the measure, after Senator Pomerene, democrat, Ohio, had objected to the proposal to vote by unanimous consent on February 15.

Expected Battle On Port Bills Fails To **Break This Morning**

convened Monday at 11 o'clock after the recess from Friday, The

Port of Portland fight scheduled

for the senate was postponed until

2:39 o'clock this afternoon and both houses spent the morning on

nomination and election of some-person to fill a vacancy for an un-

election of United States senators

principally the second

Operation Saves Child Following Death of Mother:

Milwankee, Wis., Jan. 31.—A hild was born early today by a acsarian operation in a Racine inspital a few minutes after the mother had died of injuries received when a train truck an automobile. Five others were arrived in both houses.

The only bill passed by the house was H. B. 57, by Representative was H. B. an was the mother of six other

Johnson Says People Demand Treaty Terms

Washington, Jan. 31.—People of western states are "entitled to know and know now" what disposition of the Japanese settlement problem is 104 by Korell were withdrawn by made in the tentative Shidehara-Morris treaty, Senator Johnson, resublican, California, declared toing in a formal statement. He reterated that the treaty in effect repenied the California alien land

"If Senaor Johnson expects to do a ghost dance on this subject, he's got to do it without me as a part-ner," Secretary Colby declared to-day in an informal statement replying to the California senator's statement on the proposed American-Japanese treaty.

The Salvation Army gives 18,- not to exceed \$2500 a year. The 000,000 meals and 7,000,000 beds hill appropriate \$5000 to carry out

Man Made His Home In City Jail Sent to Poor House

over the state gives to district attorneys in some of the of producing one of the smaller counties are reduced as no in addi- \$500 per year under the provisions the law makers of the increase the salaries in Laue and McIn're before County J Bucher - After an interview. and that for Multnomah county to McIn're was essentiated to

st one of his most regular guests. Almost every evening for veveral eks Desk Sergeant Davis, greetr at the city jail, had permitted Villiam E. McIntyre, address untnown, to place his signature on Saturday Officer Porter took Mr.

state be sold for less than par value. The latest move on the lines of

prohibition taws at a salary of

The special chief agent is to have power, with consent of the govern-

or, to appoint deputies to receive not to exceed \$2500 a year. The

\$3000 a year and travel expenses

before County Judge ounty poor form.

Called by Death

The Carrs were said to have distance and of the contract made with the Silver the interior counties.

The question which presents it for the legislators is not so much that of holding down salar-legislators is not so much that of holding down salar-legislators and not holding down salar-legislators and not holding down salar-legislators and salar-leg

Lost Woman Is Found On

Unharmed

Hadys Witherell, who disappeared

Mrs. Witherell was unharmed. Two Men Arrested.

The discovery of Mrs. Witherell and the acrest of the two Carr men were effected by Los Angeles police and deputy sheriffs who start-

The officers said the Carra conward the woman's father-in-law, A. J. Witherell, because of a transaction involving a boat, and that they kidnaped Mrs. Witherell both to obtain revenge and ransom money, of which, it was said, they

Phone Girl Responsible, telephone operator's quick edness led to the discovery of Witherell and the Carrs' ar-The operator received a can

The police said they found chlo-oform and other articles in his aucomobile they believed had been used in decoying the woman from

H. B. 49 was indefinitely post- The officers surrounded the hou oned in the house today following and after closing in on it smarthe acceptance of the majority commit-tee report adverse to the measure to be Floyd Carr was caught of

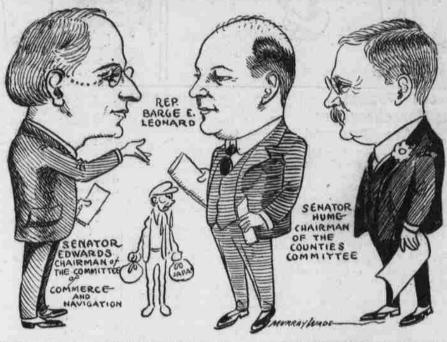
sobbed and called him "lamble their authors as was H. B. 255 by lamble," over and over again The scene between Mrs Wither-The emergency clause is attached ell and her father, John C. Kratz.

clasped around her eighteen foot ditch.

Slayton said he heard a noise be-Chief of Police Moffitt, proprie- hind him. He turned and searched ously injured, it was stated the room with bin flashHight. A it ninn with a revolver in his hand Mr was emerging from a closet.

The police said further arrests are possible as a result of the disclosures by the Carrs. They plan the men are sufficient of the men sed a fuller questioning of the men neartime sending telegrams to var ous cities to learn if they had po- fenders were mushed when an au-

Sidelights On The Senate and House



New System Proposed for Redistricting

Bill Suggests Senator From Each County and Representatives by Population

the state and a house prembership ased strictly upon population I contemplated in a joint resolution which now reposes in the inside pocket of a member of the house from eastern Oregon and which is said to meet with the approval of his colleagues from that side of the Cascades. Inasmuch as the proposal involves an increase in the At the police station, A. J. Carr, size of the upper house from thirty was said, confessed that he had to thirty-six members it would necessitate an amendment to the cost Angeles afraid to communicate with the Witherells as he had

greed by letter Floyd Carr, ac-ording to the confession of his to meet with favor from the east While the proposal is calculated ousin, was the leader in the kid- ern Oregon delegation who would The police said A. J. CaCrr told much to asse, at least in the up them that Floyd went to the With- per house, it can hardly be regara rell home last Tuesday night and ed as meeting with any great en-old Mrs. Witherell a friend had thusiasm on the part of the legis reading of the bills introduced Fri- been injured in an automobile ac- lators from this side of the moun-

took her to a small house on a terial advantage so far as the up-sheep ranch and put her in a room per house is concerned the overwith only a cot and two blankers, whelming majority which the west.

Mrs. Witherell told the men who ern section of the state would have ern section of the state would have rescued her the men bought her in the lower house in the populacandy and treated her "with every respect."

Officers Raid Shanty. tempted to our over and vice versa-

2 Escape Death In Crash Here; **Bicylist Is Hurt**

companion whose name was not this morning by Representative "I want my boy, I want my boy" loarned, narrowly escaped serious Gorge W. Hyati of Union and Wal- Mcs. Witherell cried repeatedly on injury and possible death when lows countles, eliminating the the two hour drive from the cabin their car skidded on the wet paveclause providing that no bond issue on a tanety sheep ranch in Santa ment on south 12th street yesterday shall bear a greater-rate of interest. And canyon and about 75 miles and crashed into a telephone pole, than 6 per cent per annum, non southeast of Los. Angeles where Had the automobile not struck the shall any bonds authorized by the she was found.

| Commission of the calm that a canyon and about 75 miles and crashed into a telephone pole, than 6 per cent per annum, non southeast of Los. Angeles where Had the automobile not struck the shall any bonds authorized by the she was found. he was found.

pole, witnesses said, the machine brighter and more cheerful that
When she again had her arms would have plunged that an eight any time since the trial began,

ported to the police this morning Paul Lephart, riding a bicycle. of Los Angeles was the first to was struck, hurled to the pave-resk into the house. He said Mrs. ment, and injured Saturday night Althored in a room bare of furni-new except a cot and two blankets. Busselle. He was driving south on out up in bed when he entered. the Pacific highway about one Resistance Short Lived.

"Dan't hurt me," she cried.

"I am Mrs.

Withereil and I want my baby

Resistance Short Lived.

"In Pacific nighway when the accident occurbayen't done anything. I am Mrs.

Withereil and I want my baby

blinded by the glaring lights of an automobile proceeding north, he claimed Lephart susstained a bad-. ly scratched face, but was not seri-

Throw up your hands." Slayton day, according to Mr. Oliver's re- suit now awaiting settlement be led. port to the police. He said he was tween the two concerns, this morn The answer was a cush. A strug- moving east on State and that Shuing the followed. Other officers dash- key, who had been driving west on this the room and the man west State excepted to their south on 12th Silverfron Lumber company asks recreased. He gave his name as when the two autos met. No dam-judgment of the court for over

Autos Damaged In Crash Here Today

neld. State and High stress this morn-ing, according to the police.

Seen In The Crimelight

Commonwealth National bank at Redsyille, Va., a village 100 miles from here, was robbed of ash and securities totalling \$119,000 and then set on fire. according to reports received today by the Washington po-

robbed the Morton Bond com-pany's offices in the public squade downtown At the hos-pital, it was said, two of the detectives probably will die. The bandits escaped with \$10,-900 in Liberty bonds, according to the police.

found beaten and stabbed to death today in her room at the home of her brother-in-law with whom she made her home. The head was crushed and there were numerous knife wounds on the body. Robbery was believed to have been the motive, \$500 worth of jewelry

Stand Guard At

Federal soldiers and deputy sheriffs were hurried into the moun ains surrounding Williamson today at the sound of rifle firing. Care men. There were no casualties Eddy of Roseburg, who spoke at but there were widely circulated rumors that bullets had fallen in the Commercial club.

States infantry calmed the fears of those professed to believe that an attempt would be made to rescue the twenty-one men on trial here for the Matewan shooting.

said it was easy to apply justice in the case of some one else, but when it came down to a personnal application one was apt to be binded by one's own selfishuses.

"I'm not speaking against conly 156 hogs a description of the case of some one else, but and equipment.

This addition ment has adde capacity of han by the case of some one else, but and equipment.

This addition ment has adde capacity of han by the case of some one else, but and equipment.

mination

The 21 men who are facing pros-

Answer Filed In Suit of The Silver Falls Co.

by the failure of Silverton Lumbe during the period between The original comptaint of the

\$100,500 from the Silver Pimber company for affeged non lalivery of logs from a designated were delivered to the mill. but were of such poor quality that the lumber company lest money in handling them.

Bill To Oust Vaccination Is Defeated

Hume's Attempt To Remove Logan From Parole Board Suffers 2nd Reverse

The anti-vaccination -measure hich met with overwhelming defeat at the recent election made its appearance in the senate this morning in the form of a bill spon-sored by Senator Hume.

The bill provides that "no form of vaccination or inocculation shall hereafter be made a condition recedent in this state for the adnission to any public or private chool or college."

Senator Hume's attempt to oust on the state parole board was still table through a motion by Senator Judge.

Ioseph. Opponents of the Hume not be bill regarded this morning's action because antamount to indefinite postpone ment of the measure. Adeherents of the measure, however, insist that the move still further delays passage of the bill and Logan's removal

Murder Trial Senator Eddie Speaks Before Business Men

Some sixty members of the Sa. em Business Men's club gave ful search failed to reveal the rifle- rising vote of thanks to Senator

Senator Eddy's topic was "Jusstime but the presence of a com-in business and political life. He shortening process, sany of the Nineteenth United said it was easy to apply justice been built new part

The excitement had died down and the detail of soldiers had returned to their quarters here when Judge R. D. Bailey opened the fourth day of the trial.

In the court house were 200 additional yentremen ready for examination.

"I'm not speaking against constructive criticism," said the senator, "said the senator, "for we must deal justly with ourselves, but I am speaking against with a great and prepared, but with the new improvements more than 200 can be easily handled.

The Valley Packing company was organized one year ago under the leadership of F. W. Stuesloff.

He went on to state that a great structive criticism," said the senator, "for we must deal justly with ourselves, but I am speaking against constructive criticism," said the senator, "for we must deal justly with ourselves, but I am speaking against constructive criticism," said the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, "for we must deal justly with ourselves, but I am speaking against the senator, and prepared, but with the senator, a He went on to state that a great

deal of prejudice was spread by ecution for their alleged participation in the Matewan fight, were news, and cited the biblical incibrighter and more cheerful than at dent of David who was perfectly man who stole the one ewe lamb, but was blind to the injustice which he himself performed in placing one of his soldiers in the front rank of battle, in order that he might be killed and David night then have his wife.

"As soon as the American flag uses to stand for justice," said he senator, in closing, "it won't

Mrs. Burghardt, 20 Years Resident of Salem, Passes On Mrs. Ella Richey Burghardt, 3

esident of Salem for 21 years, die here yesterday at the age of 79 years. She had been III for severa Mrs. Eurghweit was born Payson, Ill., Pebruary 5, 1842, and

was married in Quincy, Ill., in 1869 to W. H. Burghardt. She ame to Oregon from Laurence Kanuss, in August, 1893. In 1909 for inspection. She is survived by her husband and one son, W. H. Burghardt Jr., by one brother, F. W. Richey of Chicago Iil., and one niece, Mrs.

Court Says Landis Not Fair Judge

Jurist Should Have Refused to Hear Suit After Eligibility Was Attacked, Ruling

Washington, Jan. 31-Conviction of Victor L. Berger and four others, members of the socialist parts' for violation of the espionage act, was reversed today by the supreme court on the ground that Jua-s Landis should not have heard the suit after his eligiblity had been attacked.

Those convicted with Berger in he federal court at Chicago were Adolph Germer, national secretary William F. Kruse of the party; William F. I azine; J. Louis Tugdahl and Irwin St. John Tucker.

Prejudice Charged. Berger and the other four convicited under the section prohibiting a tempts to cause insubordination and dislayalty in the naval and military forces. Sentences of from ten to twenty years imprisonment were imposed,

The appeal was brought to the surreme court on the ground that fudge Kenesaw Mountain Landishad shown "personal bias and prejudice" against the defendants because of their nationality.

The court divided 6 to 1. Justices Day. Pitney and McReynolds.

dissenting. Mr. McReynolds added to the dissenting opinion a strong appro-bation of Judge Landis' sentiments as merely showing his detestation of the "Hunnish warfare which was being backed by compatriots for America under our too indufgent

Landis Held at Fault, The majority opinion held that the affidavit of projudice filed by Berger against Judge Landis was sufficient to have caused his withdrawal from the case and that Judge Landis himself was not 100 tified in passing upon the affida-

on the state parole board was still further delayed this morning when a motion by Hume for the reconsideration of the bill which was defeated last week was laid on the defeated last week was laid on the lide. The Barrer of flant. judge. The Berger affidavit abouid not be taken at "face value" he said because the "facts" therein had been made solely on "information and belief" and no attempt was made to substantiate them.

The effect of the court's decisioers is to remand the cases to the appellate division which will imme or ders of a reversal and a new trial before some o her federal judge.

Packing Plant Makes Large Improvements

involving an expenditure of \$10,-000 the valley Packing company has just completed an additional cold storage room and overhauling tice." He pleaded for more of it and remodeling of their fard and been built new park cutting rooms

This additional space and equipment has added to the concern's capacity of handling hogs. Formerly 150 hogs a day could be butch-

and has invested in its present plant over \$150,000.

Last year it handled over \$16,000 bogs brought to the plant by vatdent of David who was perfectly by farmers. It has been estimated willing to pass judgment on the that the establishment of the packing plant has saved the farmers frfhutary to Salem nearly \$10,000, which they would have had to pay in shipping their park to Portland.

Twenty-five per cent of the products of the company go to Portand other well known ment packouthern Oregon and northern Calformin as well as the immediate vi-

amounted to \$75,000 last year and with the additional improvements places for five more men have been

The process of packing is under the rigid supervision of the government which keeps two men at the slant all the time to see that no lisensed meat is distributed to the

The first formal opening of the plant will take place next Thursday when the hog growers and breeders association will hold Durue day at the Salem fair grounds. The plant is at all times oven to the public

Washington, Jan. 31.-Conviction

by court martial of Alexander back however, and states that if M. J. Fifer, of Portland, Or., The Julin, Consid Fisher and Robert L. delivered the logs, according to deceased was a member of the Lecocq on charges of murder com-

estion of Salaries Of District Attorneys Presages Stiff Fight

the supplier of the dis-This move, however, by no means

see schedule of castern Oregon where most of the Colled by I stranged which pro- proposed salary cuts would fall and the state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and state of the second salary cuts would fall and salary cuts salary cuts would fall and salary cuts would fall and salary cuts salary cuts salary cuts salary cuts salary cuts salary cuts sal included in the smaller counties and a maximum Maine, died noney. He faired to being material in- of \$200 per month in the case of recover from a diptheritie infection held.

relading with in- able basis for the entire state.

Sheep Ranch Police Discover Mrs.

Witherall a Captive In Small House But Los Angeles, Cat., Jan. 31 .- Mrs.

rom her home here last Tuesday ons found early this morning, prisoner in a small house on sheep ranch eight miles east of Coona in Riverside county about 70 les southeast of Los Angeles acording to telephone messages to be Associated Press.

Two men who gave their names A. J. and Floyd Carr, cousins, ere acrested.

ed for Los Angeles with the wom-an and the two men.

the residence of O. S. Withernd delayed making the call unthe police had been sent to the y station where they arrosted a C. Carr just as he was concludig a delayed conversation which

expired term and the ensuing term in an office at the same time. In arguing for passage of the bill. Lynn called attention to the face that twice in Oregon history has the lack of such legislation affects. The police and Mrs. Witherell's husband and father started for the eperate persons liaving to seek the short or unexpired terms and oth-ers the full term. kidnapers house at 2 o'clock to day, prepared for any emergency

which provided for assessment and his guard and handcuffed. axation of transient livestock. Mrs. Witherell and her husband H. B. 156, by Overturff, 116 and rushed into each others arms. She

to a bill introduced in the house was affecting, this morning by Representative "I want my boy. I want my boy"

office Captain Alfred T. Slayton

Please take me away from here, if automobile you are a friend." | claimed Les

Washington, Jan. 31. - The

Detroit, Mich., Jan. 31.— Three detectives were shot and seriously wounded today by three bandits who held up and

Cleveland, Ohio, Jan. 31.— Miss Gretchen Brandt, 37, was

Federal Troops

Intense excitement prevailed for

company to unload cars of log B. R. Oliver, route 1, and one 30, 1918, to December 1, 1819, th Mr Shukey collided at the corner Silver Falls Timber company files of 12th and State streets Saturan an answer to the complaint in the was tween the two concerns, this morn

The timber company comes