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BERGER CONVICTION REVERSED BY COURT

Supreme Tribunal Holds That Judge Landis Should Not Have Heard Case.

Washington.—Conviction of Victor L. Berger and four other members of the Socialist party, for violation of the espionage act, was reversed by the supreme court on the ground that Judge Landis should not have heard the suit after his eligibility had been attacked.

Those convicted with Berger in the federal court at Chicago were Adolph Germer, national secretary of the party; William F. Kruse, editor of the Young Socialists' magazine; J. Louis Engdahl and Irwin St. John Tucker.

Berger and the other four were convicted under the section prohibiting attempts to cause insubordination and disloyalty in the naval and military forces.

Sentences of from ten to twenty years imprisonment were imposed.

The appeal was brought to the supreme court on the ground that Judge Kenesaw Mountain Landis had shown "personal bias and prejudice" against the defendants because of their nationality.

The court divided, six to three, Justices Day, Pitney and McReynolds dissenting.

The majority opinion held that the affidavit of prejudice filed by Berger against Judge Landis was sufficient to have caused his withdrawal from the case and that Judge Landis himself was not justified in passing upon the affidavit.

JOHNSON ATTACKS JAP AGREEMENT

Washington.—An attack on the proposed agreement between Japan and the United States as to the status of Japanese in this country was made by Senator Johnson of California. The attack was characterized by Secretary of State Colby in a statement as proceeding "upon a quite erroneous assumption as to the trend and purpose of the conversations which have been going on between Ambassador Morris and the Japanese ambassador."

In his statement Secretary Colby said that Senator Johnson was not informed as to the course of these conversations, "and I am therefore surprised that he should feel called on to throw himself into a defensive posture against dangers which he describes but which, I am informed, he has been assured do not present themselves."

Senator Johnson in his statement said the plan would in effect "abrogate and destroy" the alien law voted by California. It would also, he said, provide as to Japanese exclusion for another "so-called gentlemen's agreement which does not exclude."

Such a situation he said, was "intolerable" and he added: "Consummation of such a plan will be resisted."

RAILWAYS ASK LESS WAGES

Tell Committee Roads Face Bankruptcy Unless Expenses Reduced.

Chicago, Ill.—Bankruptcy threatens the railroads of the United States unless they are assured immediate means for a reduction in operating expenses, the railroad labor board was told by the Association of Railway Executives.

General W. W. Atterbury, chairman of the labor committee of the roads organization made the prediction.

The executive assured the federal officials that if there were immediate abrogation of the wartime national agreements involving working rules and conditions, they would not seek a reduction of basic wages for at least three months after the order becomes effective.

Ultimately, however, it was stated, there would be need for a reduction in basic wages if the cost of operating the roads is to be cut to a point where rates may be reduced.

Wilson Refuses to Pardon Debs. Washington.—President Wilson refused to commute the ten-year sentence imposed upon Eugene V. Debs for violation of the espionage act. The department of justice had recommended commutation of his sentence to take effect February 12 next.

Oregon News Notes

The marine recruiting station which has been located in Eugene for several years has been ordered closed.

A rabbit hunt near Lakeview, in which 50 people were engaged, resulted in the death of 1711 of the pests.

The St. Helens flour mill has been destroyed by fire with a loss of about \$10,000, partly covered by insurance.

Retail prices at Bend of lath and common grades of lumber have been cut \$6 a thousand, a drop of about 20 per cent.

The big mill at Devitt, which was burned last fall, is being rebuilt. It will employ 100 men and cut 100,000 feet a day.

On account of a minor operation, Governor Olcott has had an enforced absence from the executive office for several days.

Organization of the Oregon Mint Growers' association has been formed at Eugene with E. B. Wallace of Linn county as president.

Mrs. Drusilla Mee, a pioneer of Jackson county, who crossed the plains in 1853, is dead at her home in Central Point, aged 74 years.

F. O. Harris, a prominent Benton county farmer, died suddenly at Corvallis. Harris was known as the bean king of Benton county.

Approximately \$400,000 will be spent this year for improvement of Marion county roads. This includes \$400,000 of the bond issue voted two years ago.

Marshall C. Awbrey, aged 92 years, died at Roseburg last week. Mr. Awbrey was a veteran of the Mexican war and fought with Fremont in California.

The Y. M. C. A. and various fraternal organizations at The Dalles will conduct an employment office in an attempt to solve the unemployment situation.

Bertrand D. Dotson suffered a severe injury when a one-pound shell, sent as a souvenir from the war zone in Europe, exploded in the family home at Eugene.

A meeting of melon growers at Vale resulted in the forming of an association, the purpose of which is to grow and market melons and cantaloupes on a large scale.

The Lane county court has set aside the sum of \$15,000 for an earth fill to take the place of the long wooden bridge on the county road between Vneta and Elmira.

A six weeks' course in teacher training, under direction of the Oregon State Normal school, has been designated to be held in Pendleton from June 27 to August 5.

R. Bruce McPherson of Howell, Mich., has sold to the William McPherson estate a tract of several hundred acres of timber land in the southern part of Clatsop county.

A resolution protesting to the post-office department against the closing of the lobby of the Eugene postoffice after 9 o'clock at night, was passed at a meeting of the city council.

The sale of \$250,000 worth of Jackson county road bonds has been decided upon by the county court. Bids will be opened March 3 and no bids will be accepted for less than par.

At a meeting of the Deschutes county court, D. H. Gates, of Terrebonne, E. H. Hardy of Alfalfa, and W. W. Van Meter of Redmond, were appointed directors of the Deschutes county fair.

A new logging railroad grade, 15 miles in length, tapping a new area of Brooks-Scanlon timber, has been completed near Bend. Steel will be laid on only the first two miles this year.

But one Umatilla county ex-service man is in the state hospital at Pendleton for mental disability, while there are seven other ex-service men in the hospital from various parts of the state.

Mrs. Anna Elizabeth Ferguson, one of the oldest of Oregon pioneers, died last week at the home of her daughter in Haines, aged 94. She had been a resident of Baker county for nearly 50 years.

The Oregon highway commission is authorized to construct the Columbia river highway through government lands in the vicinity of the Celilo canal by the terms of a bill which the senate public lands committee instructed Senator McNary to report on favorably.

The 11th annual production of the Pendleton round up was staged at a loss last September, according to figures made public at the annual meeting of the board of directors and stockholders of the Northwestern Frontier association. A deficit of \$2536.63 was reported.

Mrs. Susan Davidson, south Washington St., will be pleased to do your washing and plain sewing.

UNITED STATES SHIPPING BOARD EMERGENCY FLEET CORPORATION

Offers For Sale Wood Ships and Wood Hulls

Bids will be received on a private competitive basis in accordance with the Merchant Marine Act at the office of the United States Shipping Board, 1319 F Street, N. W., Washington, D. C.

Vessels showing the various types, dimensions and number available for sale are as follows:

- Number Available
- DAUGHERTY TYPE: Designated d. w. t. 4,920; Length, 200 feet; Breadth, 43 feet; Depth, 28 feet 6 inches; Bunkers-Coal, 578.5; Daily Fuel Consumption, 28; Speed, 10; Steaming Radius, 3,218; Engines, 1 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Bab. & Wilcox Water Tube; Cargo, Bale, 132,200; Grain, 148,200.
 - 17 BALLEIN TYPE: Designated d. w. t. 4,165; Length, 268 ft.; Breadth, 46 ft.; Depth, 26 ft.; Bunkers-Coal, 572; Daily Fuel Consumption, 30; Speed, 10; Steaming Radius, 2,969; Engines, Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube; Cargo, Bale, 152,401; Grain, 152,401.
 - 10 PENINSULA TYPE: Designated d. w. t. 4,000; Length, 265 ft.; Breadth, 43 ft.; Depth, 27 ft. 6 in.; Bunkers-Coal, 607; Daily Fuel Consumption, 24; Speed, 10; Steaming Radius, 6,969; Engines, Turbine West; Boilers, 2 Stand. Water Tube; Cargo, Bale, 145,941; Grain, 149,041.
 - 6 PAC. AM. FISHERIES TYPE: Designated d. w. t. 3,500; Length, 263 ft. 4 in.; Breadth, 46 ft.; Depth, 26 ft.; Bunkers-Coal, 482; Daily Fuel Consumption, 20; Speed, 8; Steaming Radius, 4,951; Engines, 2 Trip, Exp. alt. I. H. P., 1,500; Boilers, 2 Stand. Water Tube; Cargo, Bale, 121,585; Grain, 121,585.
 - 1 ALLEN TYPE: Designated d. w. t. 2,652; Length, 274 ft. 4 in.; Breadth, 44 ft. 9 in.; Depth, 26 ft. 4 in.; Bunkers-Coal, 487.2; Daily Fuel Consumption, 20; Speed, 8; Steaming Radius, 4,025; Engines, 1 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube; Cargo, Bale, 149,585; Grain, 187,488.
 - 1 LAKE & OCEAN NAVIGATION CO. TYPE: Designated d. w. t. 2,500; Length, 245 ft.; Breadth, 42 ft.; Depth, 26 ft. 5 in.; Daily Fuel Consumption, 20; Speed, 10; Engines, 1 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube.
 - 13 McCLILLAND TYPE: Designated d. w. t. 2,575; Length, 270 ft.; Breadth, 45 ft.; Depth, 24 ft. 2 in.; Bunkers-Coal, 290; Daily Fuel Consumption, 20; Speed, 9.5; Steaming Radius, 2,584; Engines, 1 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Baden Water Tube; Cargo, Bale, 129,111; Grain, 154,921.
 - 186 FRENCH TYPE: Designated d. w. t. 3,558; Length, 268 ft.; Breadth, 46 ft. 2 in.; Depth, 26 ft.; Bunkers-Coal, 477; Daily Fuel Consumption, 30; Speed, 8; Steaming Radius, 2,954; Engines, 1 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube; Cargo, Bale, 148,292; Grain, 148,292.
 - 81 HOUGH TYPE: Designated d. w. t. 4,905; Length, 274 ft.; Breadth, 44 ft.; Depth, 28 ft.; Bunkers-Coal, 909; Daily Fuel Consumption, 28; Speed, 8; Steaming Radius, 7,292; Engines, 2 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube; Cargo, Bale, 147,680; Grain, 147,680.
 - 11 GRAYS HARBOR TYPE: Designated d. w. t. 4,000; Length, 274 ft.; Breadth, 43 ft.; Depth, 28 ft. 14 in.; Bunkers-Coal, 382; Daily Fuel Consumption, 30; Speed, 8; Steaming Radius, 2,111; Engines, 2 Trip, Exp. alt. I. H. P., 1,400; Boilers, 2 Stand. Water Tube; Cargo, Bale, 177,487; Grain, 177,487.

TERMS: 10 per cent cash on delivery. Balance in equal semi-annual installments over a period of three years.

Bids may be submitted for one or more vessels, or for any combination of vessels; and must be accompanied by certified check payable to the U. S. Shipping Board for 2 1/2 per cent of amount of the bid. Bids should be submitted on the basis of purchase "as is and where is."

The Board reserves the right to reject any and all bids. SEALED BIDS should be addressed to the Secretary of the UNITED STATES SHIPPING BOARD, WASHINGTON, D. C., and indorsed "SEALED BID FOR STEAMSHIP (Name of Ship)" and "Do Not Open."

Ship and Sail Under American Flag

FROM "OVER THE HILL"

A. A. Foss is having trouble with a badly inflamed eye.

Kathleen Radtke has been sick the past week with the prevailing epidemic of grip.

William Kilgore has sold to William Durning, lots 5 and 6, block 3, Richards' addition to Athens. Consideration \$700.

Between weather squalls this week robins have been chirruping among the apple trees, where they feast on the dried and frost-bitten fruit.

Farmers have been longing for plowing weather during the month of February, and now that they have February with them, they want the weather.

On account of the critical illness of Mrs. Caton, Mr. and Mrs. George Banister are expected home from California, where they have been spending the winter.

Excepting the hard surfaced highway, the roads leading to Athens are in bad condition as a result of much rainfall and frosty temperature.

Mr. and Mrs. Hugh Monagan of Milton, have put in a human bake oven in Athens, being located in the building recently occupied by Dr. Sponagle, dentist.

R. A. West, who is drilling a well on the Robert Coppock residence property on Fourth street, is still working through a very hard rock formation at a depth of 145 feet.

Mrs. M. L. Watts, after spending a couple of months with her daughter, Miss Vernita Watts, in Oakland, California, returned to her home in Athens, Tuesday.

Mrs. Roy Cannon is at present at College Place sanitarium, where she is receiving medical treatment. Miss Carrie Sharp is also a patient at the sanitarium.

In common with other points in the Northwest, Athens experienced a severe wind storm Saturday. Windows were broken in the fronts of the I. O. O. F.-K. of P. lodge hall and the Press building.

The Willamette University glee club makes its appearance at the Athens high school auditorium this evening. Athens school pupils have canvassed the city thoroughly in the sale of tickets, with the result that a large audience will greet the club.

Lee Johnson has leased the Vic

Harris farm Northwest of town, and will move to the place soon. His father Al Johnson, with Mrs. Johnson will move back to their farm home, vacating their residence on Hunt avenue, where they have resided for several years.

Mr. and Mrs. J. N. McFadden of Corvallis, visited over Sunday at the home of C. L. McFadden in Athens. J. N. McFadden, who is a brother of the Athens druggist, is an old U. of O. college mate of B. B. Richards. He purchased a band of sheep at Echo before returning home.

Mr. and Mrs. Guy Cronk have returned to Athens after an extended visit with relatives in the Willamette valley. Mr. Cronk has purchased a ten-acre tract of land near Lebanon, with object of making his home there in the future. Mr. and Mrs. Cronk were also on the Sound before returning to Athens.

Mrs. Donald Moore, who last week was reported ill with inflammatory rheumatism, has been in a serious condition this week from the malady, but is reported better at the present time.

Miss Ethel Hodgen left Wednesday for Hilgard, where she will fill out an unexpired term in a country school. A new school house has lately been built in the district where she goes to teach.

Beulah Banister, captain of the girls basket ball team, had the misfortune of injuring her ankle during practice this week. "Boots" will find it necessary to drop her daily practice for a few days.

Great interest is being taken in the organization of a boy's school band, nearly twenty boys having signified their intention of joining. The services of Mr. E. A. Bennett may be secured, if enough instruments are secured to insure the organization of a band.

Wouldn't it be the safer plan, if not the cheaper, for Athens merchants to flood their stores with light from their house wires, rather than to turn their stocks over to the burglar who proves to be a nifty worker with dark ness favoring him?

Penney Store is Robbed. With Main street in total darkness, as it has been for nearly six months, burglars had no trouble in forcing an

entrance to the J. C. Penney store Saturday night by a neat job of "jimmying" the front doors and escaping with silk dresses and bolts of silk goods netting a loss to the firm of over \$400.

The doors at the front entrance to the store are held by a spring lock, operated from the inside. Apparently a flat implement of some character was used to spring the lock and the lower slide bolt released from its position when the doors were slightly forced apart. This at least is the opinion of Manager Emmel who found the entrance in usual condition when he entered the store for business as usual. The spring lock functioned in customary manner, and it only dawned upon the manager that his store had been robbed when articles in the silk department were missed.

At first a couple of silk dresses and alk stockings came up missing, but the loss has increased until it reaches over \$400 in silks, including a number of bolts of that expensive cloth.

This is the third time the Penney store has been robbed. Under Meri Robie's management the store was robbed and also once while Garry Taylor was at the head of the institution. On the two former occasions men's wearing apparel was stolen.

Business men on the street are beginning to feel shaky over the wave of store-breaking and robberies over the Northwest and realize that the dark street here does not tend to protect their places of business.

Drunken Motorist Arrested.

A serious accident was narrowly averted at the intersection of Main and Third streets Tuesday afternoon, when George Myrick, in an intoxicated condition and driving a Ford car, crashed into a car driven by Mrs. D. Stone. The impact of the collision twisted one of the front wheels of the Ford and smashed a fender on the larger car.

Myrick was on his proper side of Main street coming west, and Mrs. Stone was coming north on Third street, and the spot at which the collision took place, indicated that she was safely past the intersection turning block, within her rights to proceed either down Main or to continue north on Third.

Myrick was arrested by Officer Stone, who charges him with driving an automobile while intoxicated and with having liquor in his possession. Up to last night he had not had his hearing before Judge Richards.

Dentist is Evicted.

As a result of a difference of opinion existing between Dr. Sponagle, dentist, and Dr. Lash, dentist as to which of the two, Dr. Lash who pays the taxes, or Dr. Sponagle who says he paid his rent promptly, had the right to occupy the Lash office building on Main street, Sponagle's office equipment and household effects were summarily lifted into the street by Deputy Sheriff Lavender, Tuesday afternoon, and possession given to a new tenant.

The two dentists took a whirl at court several weeks ago and Lash won the decision, since which time, it is alleged he served notice on Sponagle to vacate. That Dr. Sponagle took his time in the process of vacating is evident and he says he has grounds for damages against Dr. Lash. Dr. Sponagle will have temporary office facilities in Dr. C. H. Smith's apartments in the telephone exchange building.

Death of Mrs. Arthur Johnson.

Athens people were inexpressibly shocked Sunday, to hear of the death of Mrs. Arthur Johnson of Walla Walla, formerly Miss Pearl Pinkerton, only daughter of Mr. and Mrs. D. A. Pinkerton, now residing near Freewater.

Mrs. Johnson recently gave birth to a baby girl, and complications following caused her untimely death, which occurred Sunday afternoon in St. Mary's hospital. She leaves her husband, a little son four years old, the infant daughter, her parents and two brothers, besides relatives and many warm friends to mourn her loss.

She was reared from childhood on the home place near Athens, before moving to Milton with her parents, where she was married. The funeral was held in the Milton Christian church, with Rev. Oris Harris conducting the services, on Tuesday, February 1st. Interment was made in Mountain View cemetery, Walla Walla. Mrs. Johnson was aged 28 years, four months and seven days. With her husband who is in the garage business, she has lived in Walla Walla for several years.

Laundry work done at home. Mrs. R. R. Riley, S. Broad street.

GERMANY MUST PAY 226 BILLION MARKS

Premiers Reach Agreement on Reparations and Other Important Questions.

Paris.—Full agreement on reparations, German disarmament and all other important questions before it had been reached by the supreme council when it adjourned to meet in London February 21.

A protocol was signed approving the reparations scheme as agreed on by the special committee and also the report on the disarmament of Germany as presented by the military committee. Germany must disarm by July 1, disbanding all her civic guards not provided for in the peace treaty.

Germany will be called on to pay in 42 annuities on a sliding scale 226,000,000,000 gold marks. Her exports, in addition, bear an export duty of 12 per cent for the allies. On the basis of last year's exports this would give the allies 1,250,000,000 gold marks or 12 per cent of whatever money in which the exports are paid for. Thus it is estimated the first payment made by Germany will be 3,250,000,000 gold marks, the export tax being paid in cash.

Seizure of German customs was added as fourth of the penalties adopted for violation of agreements. The other three are: Extension of the area of occupation; occupation of the Ruhr district; refusal to admit Germany to the league of nations.

As to Austria it was agreed that the allies should forego reparations, the cost of the army of occupation and certain other Austrian debts to enable Austria to obtain aid more easily. It (The total of 226,000,000,000 gold marks of German reparation payments called for by the plan would equal approximately \$56,000,000,000 at normal exchange rates.)

U. S. HAS ALMOST 14 BILLIONS IN VAULTS

Washington, D. C.—Acting Treasurer Allen announced that a total of \$13,883,826.36 in cash and securities was found in the treasury as a result of the count necessitated by the resignation of John Burke as treasurer.

This total is about \$10,000,000,000 greater than usual and is accounted for by approximately that amount of notes deposited by foreign governments' war loans.

The actual cash on hand at the time of the count was \$97,410,283.02.

The last previous count, in 1919, showed a grand total of \$1,426,422,051.48, of which the total cash amounted to \$1,199,251,911.90.

The present count showed \$4,726,553.11 in gold coin, \$45,790,573 in standard silver dollars, compared with gold coin of \$2,505,722.98 and standard silver dollars totaling \$152,893,689 in 1919.

House Accepts Morgan's Gift. Washington.—The house, sitting as a committee of the whole, voted to accept as a gift the home of J. P. Morgan in London to be used as an American embassy and appropriated \$50,000 for the purchase of an embassy building in Paris.

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