

### TALES OF THE OLD FRONTIER

By ELMO SCOTT WATSON

#### SAM BASS, THE OUTLAW-HERO OF A SONG

Sam Bass, he came from Indiana, It was his native home, And at the age of seventeen Sam, he began to roam. He went way out to Texas A cowboy for to be— A kinder-hearted feller, You'd seldom ever see.

That is the first of many stanzas of a song that has been sung in every cow camp and along every winding trail from the Rio Grande to the Canada line. For Sam Bass, whose exploits were thus immortalized by some frontier bard, vies with Jesse James for the honor of being the Robin Hood, hero of the most typical native American ballad. If there are some who would paint Sam as nothing more than a sordid murderer, he has plenty of apologists who say that he was a not unnatural product of the environment of cowboy life in Texas. As evidence that he was not utterly bad, they would cite the incident of the boy to whom Bass once

offered a drink of whisky. The boy refused to take it, saying "Mother doesn't allow me to drink." "That's right, sonny, mind your ma," said the outlaw and, as have so many transgressors, he added sadly, "I wouldn't be where I am today if I had minded mine." Bass first went outside the law by robbing a Union Pacific train, and followed it up with bank holdups, more train robberies and an occasional killing until he became the most notorious outlaw of his time. Once a mob caught him and hanged him from a tree on the bank of a river. They began shooting at the dangling body and a shot cut the rope. The outlaw's body dropped to the ground and then rolled into the river. A big rattlesnake was seen to crawl away from the place where he had struck and although the lynchers dragged the river, they could not find him. Upon their return to town they were asked if the notorious Sam Bass were really dead. "Well, if he ain't, he ought to be," replied one man. "He was shot, hanged, snake-bit and drowned. That ought to be enough." But Sam wasn't dead. As he afterwards related it, the force of his fall stunned the snake, and before it could strike, he rolled into the river. The cold plunge revived him, and upon coming to the surface he hid under a pile

of driftwood until nightfall gave him a chance to escape. Bass was finally killed in the town of Round Rock, Tex., by a Texas Ranger, after he had attempted to rob the bank there. So great was his fame that the legislature, then in session at Austin, adjourned and, accompanied by the governor, came to Round Rock to see for themselves that the notorious Sam Bass had at last come to the end of his trail.

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### COURT UPHOLDS PATENT SALE

#### U. S. Suit Against Chemical Foundation Dismissed by Judge Morris.

#### CONSPIRACY CHARGE FAILS

##### Conduct of Chemical Foundation Praised in Use of Former Gorman Patents for Benefit of American People.

Wilmington, Del.—In a sixty-two page decision which swept away every one of the Government's major contentions as being without basis in fact or law, Federal Judge Hugh M. Morris dismissed its suit to set aside the sale of seized chemical and dye patents by the Allen Property Custodian to the Chemical Foundation, Inc. The decision rebuked the Government for including in the bill of complaint a series of conspiracy charges unsupported by evidence at the trial and refuted by the defense as well as by documents filed by the Government.

In declining to compel the Foundation to restore the disputed patents, numbering some 4,700 and bought for \$271,000, from the Government, Judge Morris held there was no evidence bearing out allegation of a conspiracy by American manufacturers to effect a monopoly through the Foundation. The court ruled that there was no evidence of fraud or deceit practiced on President Wilson, Mr. Polk, Under Secretary of State; Attorney General Palmer and other high officials of that Administration.

#### Garvan's Course Upheld

The opinion praised Francis P. Garvan, president of the Foundation, and its trustees, as having met the most severe of tests in their conduct of the Foundation—"the test of actual trial." They were declared by the court to afford, through their high integrity and unquestioned patriotism, a thorough assurance of loyalty to their trust. "It has kept the faith," said the court of the Foundation's work.

Judge Morris found without merit the Government's contention that the criminal laws were violated in that Mr. Garvan, as Allen Property Custodian and thereby a public trustee, sold to himself as president of the Foundation the patents in question. He had acted by direction of President Wilson and his acts, supervised by the President under the latter's wide war powers granted by Congress, could not be brought to court. Congress had not delegated legislative powers to President Wilson, as maintained by the plaintiff, and the courts could not pass judgment on the wisdom or lack of wisdom of Presidential war acts.

Judge Morris recited that although Colonel Thomas R. Miller, present Custodian, who had approved two of the sales involved, verified the complaint, in his testimony he admitted that he could not enumerate any of the facts alleged to have been withheld and suppressed from him.

"In view of this testimony and the obvious fact that the power to charge persons with fraud and conspiracy is a weapon with which serious irreparable injury may be done to innocent persons if such charges are lightly made, it is difficult to understand why the specific charges to which the foregoing testimony relates were made," wrote the court. "Yet the remaining like charges were equally lacking in evidential support. In fact, at the argument, the plaintiff seemed no longer to press these charges against the persons alleged to be conspirators, but it sought to have the charges sustained as against the officers of the Government who formulated and carried out in the public interest the plan of sale. . . . While I know of no case where by implication of law the duty of clearing itself from imputed fraud rests upon the defendant, yet the defendant has met even this burden."

#### Holds Wilson Had Full Power

While the Trading With the Enemy Act at first merely authorized custodianship of German properties in this country, it was later amended, recalled the Court, to give power of sale under such conditions as the President, in the public interest, should determine upon. In effect, this made the President, as agent of the nation, possessed of powers as broad as though he were absolute owner of the seized properties. Under the provisions of the act, the President was empowered to make any conditions of sale he considered necessary in the circumstances.

The sales in dispute were not made by the Custodian in his capacity as a common-law trustee, but under the extraordinary powers devolving upon him as the President's representative, under the additional sections of the act. "Because a trustee with only the usual powers may not ordinarily sell trust property at private sale for less than its fair monetary value, it by no means follows that the Custodian, acting under supervision and direction of the President, may not do so," held the Court. "Obviously, the primary purpose of the act was the protection of the nation, not the benefit of the enemy. The trust was for the benefit of the nation—a public, not a private trust. The statute re-

quires the President to consider the public interest. Public interest is not a synonym for money."

In this relation Judge Morris quoted from President Coolidge's message to Congress on the Muscle Shoals problem, that "while the price is an important element, there is another consideration even more compelling. . . . If this main object (low-priced nitrates for farmers in peace and the Government in war) is accomplished, the amount of money received for the property is not a primary or major consideration."

Referring to German-owned property, the court said:

"Much of this property was not innocently held or held solely for trade and commerce. Information acquired by German-owned companies had been transmitted to Berlin, and there indexed and made available to German competitors and the German Government. The files of one company were filled not with business papers, but with pan-German literature. It was a distribution centre for propaganda in this country."

#### Upholds Confiscation of Patents

Judge Morris pointed out that when America entered the war she adhered to the international convention forbidding poison gas, "but it soon became apparent that America would be fighting on disastrously unequal terms unless she should make use of all the dread weapons being used against her by the foe. When Germany persisted in her attempts to destroy her opponents with poison gas in contravention of all international agreements, she made it manifest that America's future safety lay in America's chemical independence. The amendment to the act was passed in the darkest days of the war (allowing the sale of seized properties). It was thought Paris was about to fall and the Channel ports be taken." These were the circumstances, said the opinion, "which impelled Congress to grant the President the broad powers of almost absolute ownership. It was the intent of Congress to subordinate mere property rights to the welfare of the nation."

Of the value of the patents sold, Judge Morris held, in accordance with the testimony, that while Dr. Carl Holderman, a German, asserted the Haber patents were worth \$17,000,000 to the Germans, "the evidence is overwhelming that they were and are without substantial affirmative value to American citizens. Had these patents been sold to Americans at public rather than private sale and only the net proceeds paid to their former enemy owners these owners would have suffered an almost total loss in the value of their property."

#### Praises Work of Foundation

As to allegations that the sale was not to obtain a fair value, but to promote the interests of the chemical and dye industries and that the transaction was in legal effect granting a subsidy to private industry, the Court commented, "this challenge to the motives of the officers making the sale is supported, I think, neither by the facts nor the law. Mr. Polk determined the public interest would be best served by a wide use of the inventions covered by the patents. If the property was sold under terms and conditions that assured its being devoted to the public use it matters not what benefits or detriments may have flowed as incidents therefrom."

"The property is in the keeping of men who have in its management no selfish interest to serve and whose devotion to the public interest has been established," continued the opinion. "No better plan for devoting the property to public use has been suggested. The plan has stood the most severe of all tests—actual trial. The defendant has kept the faith. This it has done, not only by granting licenses in furtherance of the purposes for which it was chartered, but also at its great expense, by distribution of books and pamphlets showing the national necessity for practical development of chemical science in America. If perchance, those heretofore engaged in the industries have derived an incidental advantage from the plan, that incidental result cannot invalidate a transaction lawfully consummated in the public interest. The same charge would lie against the validity of every tariff act. . . . The sale was in effect to America and its citizens, not to those then engaged in chemical and allied industries."

Judge Morris ruled that if the executives entrusted by Congress with power of sale acted within the scope of that power "their acts are not subject to judicial nullification or review. Invasion by the courts to determine whether the public interest required the property be sold otherwise than under the statutory conditions prescribed and to set aside the sale should the judgment of the court be different from that of the President would be a judicial nullification not only of the President's act but also of the act of Congress conferring on the President the power to determine what the public interests required. What the public interest requires depends upon the conditions existing in the nation. Courts do not understand the 'state of the Union' and as, I apprehend, are not equipped to ascertain it. . . . The statement of the reasons actuating the President does not make his act any the less an act of discretion. It is conceded the President cannot be brought into court to substantiate his reasons. The statute does not require him to disclose to the purchaser the evidence upon which his reasons were based. The statute does not limit the Executive in the assignment of reasons to such as may be supported by legal evidence or by facts available to the public."

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| Bus leaves Monmouth | Train leaves Monmouth | Train leaves Independence |
|---------------------|-----------------------|---------------------------|
| 6.40 A. M.          | To Portland           | 7.08                      |
| 9.45 A. M.          | To Portland           | 10.03                     |
| 9.45 A. M.          | To Corvallis          | 10.25                     |
| 11.55 A. M.         | To Corvallis          | 12.13                     |
| 1.50 P. M.          | To Portland           | 2.22                      |
| 3.25 P. M.          | To Corvallis          | 3.48                      |
| 5.10 P. M.          | To Portland           | 5.38                      |
| 6.45 P. M.          | To Corvallis          | 7.15                      |

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### RICHARD LLOYD JONES SAYS

#### Justice is the Goal of Civilization



Virtue finds its truest expression in justice. Liberty and equality are empty words unless they rest upon justice which at all times is the true principle for humanity. Separate liberty or equality from justice and neither can stand. The passion of all great prophets throughout all ages has been for justice.

It is the one-word definition of the Golden Rule. It was not only the basis of the teachings of Jesus but of all great religious seers and prophets. Each in his turn and time and in his own way said the same thing. Confucius put it: "What I do not wish men to do to me, I also wish not to do to them."

Justice is virile; it is never passive or indifferent. It is the truth in action. Justice may be violent; it is always violent to the one who offends it. We may prize success, covet wealth, seek honor, but none of these can satisfy unless they come through justice.

He is great who, for justice's sake, can forget friends, kin, self-interest—all—to fight for or to work for that which is right for another, a stranger perhaps, or even an enemy. We cannot secure justice for ourselves through denying justice to others. It is not in the order of things, for justice is consistent, impartial and always fair.

Though justice is impartial it is not blind. Science is governed by its laws.

The nation that loves liberty most sincerely and that fights only for human justice is seldom found in the brutal entanglements of war and then only in a benignant war made holy by the passion for justice. The nation that covets property and men, that seeks to enrich itself by devastating its neighbor, is found most often in the throes of war and then for the shameful and unsatisfying end of boldly defying justice. And as with nations so with men. Such nations come to no good end.

"Justice," said Daniel Webster, "is the greatest interest of man on earth. It is the ligament which holds civilized beings and civilized nations together."

Happiness and progress are secured only when justice is honored.

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### HELPFUL HINTS

By Aleda

Mrs. Housewife: This newspaper will publish "Helpful Hints" in this form at regular intervals. We suggest you clip this column and paste it in your recipe book.

#### Removing Wall Paper.

In removing wall paper first wet it all over with a thin paste made of flour and water. When it has dried, the paper will shrink and may be pulled off in strips.

#### Straw Matting.

If one finds the necessity to lay straw matting in corners it can be done very easily if a brush is dipped into a pail of water (into which a cup of salt has been added) and thoroughly wet the straw.

#### Shoe Economy.

When taking off shoes, use the hands and not the feet. When putting them on use a shoe horn. They will last much longer.

#### Gasoline.

Gasoline which has been used for cleaning an article may be used again and again if, when soiled, it is filtered through filter paper which can be purchased at any drug store.

#### Steaming Velvet.

A piece of velvet that needs the nap raised may be made to look almost like new if this simple process is followed. Hold the wrong side of the velvet taut over a pan or kettle of boiling water. Then hang in a shady place and when dry brush with a soft bristled brush.

For the housewife who does her own cooking (and especially for the one who is just starting out), these tables may prove of great value.

| BOILING VEGETABLES |               |       |
|--------------------|---------------|-------|
|                    | Hours Minutes |       |
| Cabbage            | 3             | 00    |
| Beans              | 2             | 30    |
| Carrots            | 2             | 30-45 |
| Cauliflower        | 2             | 30-45 |
| Squash             | 2             | 30-45 |
| Beets              | 2             | 45-60 |
| Corn Plant         | 2             | 45-60 |
| Crab Apples        | 2             | 45-60 |
| Tomatoes           | 1             | 15-20 |
| Peas               | 1             | 20-30 |
| Chickens           | 2             | 30-45 |
| Celery             | 2             | 30-45 |
| Turnips            | 2             | 30-45 |
| Carrots            | 2             | 45-60 |

  

| BOILING SEA FOOD     |         |
|----------------------|---------|
|                      | Minutes |
| Crabs                | 3-5     |
| Shrimp (per pound)   | 5-6     |
| Hadcock (per pound)  | 5-6     |
| Salmon (per pound)   | 12-15   |
| Clams                | 10      |
| Bluefish (per pound) | 15-12   |

### Opportunity

Since I've been wearin' glasses, I command a better view of myself an' my surrunds than my naked eye could do. . . . They have broadened my perspective in a gratifyin' way—till my neighbors pay attention to most anything I say. . . . A feller can't help smile when he puts his glasses on, an' views his feller-mortals with their imperfections gone. . . . They used to look so snooty, with so much to criticize.—O, it's powerfu' misleadin' when ye got defective eyes! . . . When the age fer wearin' glasses fetches hair of silver grey, we can love our neighbors better, as their failin's melt away. . . . If we keep our sight corrected by self-sacrificin' art, we attain that calmer vision, which endows a nobler heart.

### GOT HIS EYE ON HIM

