

The Weather

Maximum yesterday.....47
Minimum today.....30
Precipitation.....00

MEDFORD MAIL TRIBUNE

Predictions

Tonight and Wednesday,
Fair.

Forty-eighth Year.
Daily—Thirteenth Year.

MEDFORD, OREGON, TUESDAY, FEBRUARY 11, 1919

NO. 274

SUPREME COURT AFFIRMS DECISION IN CASE OF SWEENEY VS. JACKSON COUNTY

JAPAN SEEKS POSSESSION OF TEUTONS

Mikado's Demands Causing Grave Concern at Peace Conference—Would Succeed Germany in Orient—Threatens War Upon China If Latter Makes Public Secret Treaties Made Under Coercion—Demands Islands in Pacific.

PARIS, Feb. 11.—(By Associated Press.) The Chinese delegation has published cables received from China overwhelmingly favoring the activities of the delegation and directing that there be restitution of China of properties in Shantung. Japan has reiterated her intention to hold the Marshall and Caroline Islands in the Pacific which she took from Germany during the war, as well as to insist upon the execution of her agreement reached in September last, with China regarding Shantung. A formal statement to this effect by Japanese representatives has been made public here.

As regards the Pacific islands claims of Japanese, the American position at the peace conference has been unofficially represented as one of opposition to annexations and of insistence upon the internationalization of all the Pacific islands taken from Germany. The Marshall and Caroline groups lie directly east of the Philippines.

WASHINGTON, Feb. 11.—(By Associated Press.) Japan's attitude toward China in the peace conference is causing grave apprehension among the representatives of the other associated powers. According to official diplomatic information reaching here, Japan virtually has threatened war if China makes public secret treaties between the two countries and fails to carry out an agreement to make Japan the successor of Germany in rights, property and concessions held by Germany at the outbreak of the European war. China is relying on the peace conference, where her delegates are said to have made an excellent impression and is seeking support from the United States and Great Britain.

Treaty Copies Stolen
Advices from the Orient thru diplomatic channels say American Minister Reisch at Peking, seeking to reassure the Chinese foreign minister with statements of the friendship of the United States government, was told frankly that the foreign minister did not see how at this time the United States or Great Britain could divert their attention to the Orient when the European situation demanded so much attention.

When the Chinese peace delegates arrived in Paris, the information now available discloses, they reported that their copies of the secret treaties were stolen from their baggage while they were passing thru Japan, and consequently they were unable to carry out their purpose of making them public at this conference. Officials of the state department declined to make any formal comment today on the situation. The impression was given that the whole matter was being handled in Paris.

S. O. S. CALLS FROM U. S. NAVAL VESSEL

HALIFAX, N. S., Feb. 11.—A wireless call saying the American oil tank steamship J. M. Guffey was taking water in the forehead and was sending out S. O. S. calls was intercepted here today. The vessel's position was given as off Cape Race. Owned by the Gulf Refining company, the tanker sailed from Inverness, Scotland, on January 24 for Hampton Roads, Va.

JEROME MINES CLOSED BY STRIKE DUE WAGE CUT

Copper Properties of Arizona District Paralyzed By Lack of Hands—Men Declare No Strike But Refuse to Work on Reduced Wages Called for in Schedule—I. W. W. Blamed.

JEROME, Ariz., Feb. 11.—Copper mines of the Jerome district are paralyzed by lack of hands, altho the organizations affiliated with the International Mine, Mill and Smelter Workers have declared no strike following the wage cut of 75 cents a day which went into effect yesterday. On the contrary the labor council has determined that there will be no strike called until after the arrival of Federal Mediator Davies, reported to be on his way from Washington under instructions from Secretary of Labor Wilson.

Mines Pumping
The mines are pumping and there has been no disorder reported, but mine officials and police officers declare the situation is serious. They assert that the trouble was started by members of the I. W. W. and that the union workers are afraid of violence if they obey the instructions of their leaders and return to the shafts.

Only four men reported for work at the United Verde today. These were sent away and the same conditions are said to obtain in the other big shafts, practically all the 4000 miners of the district remaining idle.

JEROME, Ariz., Feb. 11.—Jerome passed a night of apprehension following a day of turmoil precipitated by a 75-cent cut in the wages of 4,000 copper miners and smeltermen of the Jerome district.

Earl today mine officials said the strike called yesterday afternoon at a mass meeting held on the outskirts of the town had not materialized.

DENVER, Colo., Feb. 11.—Charles H. Moyer, president of the Industrial Union of Mine, Mill and Smelter Workers, in a statement today on the action of miners in the Jerome copper district in striking as a result of a cut in wages announced last week, said:

"These men are members of the I. W. W. and are in no manner connected with the Mine Workers' Union. Our men in the Jerome district are satisfied with their contract with the mine owners and have been expecting a wage reduction."

"The men responsible for the disturbance at Jerome are members of the same branch of the I. W. W. that has created all of the trouble in Butte."

25 PUBLIC SCHOOLS IN DENVER CLOSED

DENVER, Colo., Feb. 11.—The twenty-five public schools closed yesterday by a strike of the stationary engineers remained closed today despite efforts of school officials to fill the places of strikers. Seventeen thousand students and 425 teachers at the schools are affected by the strike.

"It is impossible to tell when the schools will reopen," said Carlos M. Cole, superintendent of schools today.

REVOLUTION IN SEATTLE OVER; STRIKERS BACK

Last of 30,000 Workers Who Went Out On Sympathetic Strike With Shipbuilders Return to Work, With Exception of Some Members of Longshoremen's Union.

SEATTLE, Feb. 11.—Last of the 30,000 workers who went out on a sympathetic strike with 25,000 metal tradesmen of local shipyards Thursday last, returned to their work at noon today, when the strike officially came to an end. With the exception of some members of the longshoremen, who asserted they have a separate grievance to consider, and are still out, nearly every union man was back at his work early this morning.

Revolution Is Over
"The revolution is over." That is what Seattle read at its breakfast table today as the opening paragraph of an editorial appearing on the first page of the Post-Intelligencer, in which the first general strike in America, now in its sixth day here was discussed. The general strike "officially" was not ended until 12 o'clock noon.

Striking street car men, who returned to their posts Sunday, remained at their posts, following a vote to this effect by the executive committee of the street car men's union last night. Others did the same.

On the other hand musicians and stage hands at big downtown theaters after returning to their work, and after these theaters had filled with patrons, went out again last night. In one house the music of the musicians ceased and announcement of their action caused the music to be followed by hisses.

Soldiers Remain on Duty
The strike was called in sympathy with the strike of 25,000 metal trades workers. The metal workers still are out seeking higher wages and Seattle's great shipbuilding industry still was tied up.

Soldiers remain to protect the city and hundreds of special policemen will continue their beats and in reserve until Mayor Hanson and army officials determine that possible danger to property or the persons of Seattle citizens has passed.

ALLIED THREAT SENT GERMANY

COPENHAGEN, Feb. 11.—Great Britain and France have sent notes to Matthias Erzberger, president of the German armistice commission, the Weimar correspondent of the Berlinische Tidende learns from reliable sources, dealing with the failure of Germany to deliver locomotives and agricultural machinery as agreed. He says one of the notes virtually constitutes a threat to Germany.

The correspondent adds that a similar note expected from the United States.

WEIMAR, Feb. 10.—(By the Associated Press.)—The German national assembly has adopted the provisional constitution with little amendment. The national president will be elected Tuesday.

SAN FRANCISCO, Feb. 11.—Notice from the Pacific district council of boiler makers that it contemplated calling a coast-wide strike of its affiliated unions at a date to be determined upon later, was received by the Oakland boiler makers' union today. According to the message the council was meeting in the Collins building in Seattle.

PEGGY MARSH AND HER \$100,000 FIELD BABY



She's a London showgirl who lived with enry Field, grandson of Marshall Field, famous Chicago merchant, before young Field was married. To obtain for herself and son, Henry Anthony Marsh (whose father she declares is Henry Field), the income she says Field promised her, the young mother went into court and obtained from the Field estate a life income consisting of the interest on \$100,000. Field died soon after marrying Nancy Perkins, a Virginia heiress. A question still undecided is whether young Henry Anthony Marsh, now aged 2 1/2, will inherit his father's share of the great Marshall Field estate—whether the young son whose mother admits she never wedded Field is an "issue" of Field in the sense meant by Marshall Field's will.

GOOD PROGRESS MADE FOR LEAGUE SAYS LLOYD GEORGE

LONDON, Feb. 11.—Progress on the formation of the society of nations was very satisfactory, Premier Lloyd George said today in the house of commons in discussing the work of the peace conference. He said he hoped that a report would be issued soon by the commission appointed to consider responsibility for the war and enemy outrages.

The premier in answer to a question, said the British representatives, like the others, would sign the treaty of peace provisionally and that the treaty would be presented to parliament for ratification. If the house of commons choose to repudiate it, the house was all powerful, he said.

The peace commission on indemnities the premier said, he hoped would issue its report soon.

If industrial unrest continues the consequences will be grave to trade and industry. The government, he said, would agree to any kind of investigation into the causes of the unrest.

Special war conditions, the premier thought, had contributed to the unrest. Among the conditions were the strain of four years of war and the fear of unemployment.

ALIENS ARRIVE FOR DEPORTATION CHEERING FOR I. W. W.

NEW YORK, Feb. 11.—Fifty-four radicals—alien born anarchists, Industrial Workers of the World and others—arrived at Hoboken today on a train from the west en route to the Ellis Island immigration station, for deportation. As a group of men was led from the train to the boat three cheers for the Bolsheviks were given and three more for the I. W. W.

When all of the 53 men and one woman had reached the decks of the immigration boat the police ordered the I. W. W. members to separate themselves from the others and move to one end of the vessel.

One I. W. W. member objected and struck a policeman on the nose with his fist. Others of the I. W. W. closed in, and the police came to the rescue of the man attacked and not until clubs had been used freely and effectively were the I. W. W. members subdued.

Another version of this disturbance was that one of the 54 had threatened the journey from the west been suspected of being a government agent in disguise.

A strange scene was presented as the arrivals stepped from the train shortly after dawn. Many wore flaming red ties. The woman had on a fur coat and a black sailor hat. The men had been showing cards most of the night and played the want of clean and were unshaven. Canvas carry bags of the kind immigrants carry were included in an odd assortment of baggage, with here and there a shiny new suitcase. Some of the men wore no hats.

SAN FRANCISCO, Feb. 11.—The resignation of President Benjamin Ide Wheeler of the University of California was presented to a meeting of the university board of regents here today.

Construction Cost Siskiyou Highway Raised by Decision

Splits the Difference Between Engineers Estimate and Contractor's Claims--County Saves by Litigation.

SALEM, Ore., Feb. 11.—The supreme court today affirmed the decision of Judge Davis in the case of John W. Sweeney vs. Jackson county in the suit for accounting relative to road construction on the Pacific highway in Jackson county. The opinion was written by Justice Bean.

The supreme court decided in favor of Sweeney for the sum of \$82,533.20, the U. S. National bank of Portland being given a lien of \$39,996.50. The court held there was no error in the trial court in refusing to dismiss the case, or in rendering its decree. The court finds the Portland bank a proper defendant. It finds that mistakes were made as charged by the forces of Assistant Engineer Kittridge under State Engineer Bowly.

Jackson county, the decision asserts, placed too much reliance and responsibility on the state highway engineer, and after the contract was let changed the route specified, increasing the length 16 per cent. The court finds that Engineer Bowly spent but two hours checking up 2000 force account bills.

Changes made in the Dollarhide bridge, increased the work of the contractor, while no price was fixed for excavation of adobe and hardpan, and the claim of 75 cents a cubic yard is sustained. The court allows Sweeney \$4,844.16 in addition to the sum granted by the trial court.

By the decision of Judge Davis, Jackson county was required to pay \$51,904 more than the state highway engineer's estimates of the cost of building the 12 miles of the Siskiyou highway from the California line to Barron, but saved \$33,864 of the amount claimed due by Contractor Sweeney. If the interest claim is eliminated, the saving will be \$17,175, out of which must come the cost of the litigation.

Story of Suit
John W. Sweeney was the contractor who built the Siskiyou section of the Pacific highway, the work being done under the jurisdiction of the state highway engineer, the money being provided out of the proceeds of the \$500,000 road bonds issued by Jackson county. The contract was let January 31, 1914, and the engineer made the final estimate March, 29, 1915.

The final estimate showed a balance of \$35,573 due Sweeney, who under oath verified this as the true and correct bill for the work, March 31, 1915. April 1 Sweeney assigned

SHIYARD STRIKERS FIGHT TO A FINISH

SEATTLE, Feb. 11.—Sanction of the shipyard strikes in Seattle and Tacoma, involving about 33,000 members of metal trades unions, has been given by the executive council of the State Federation of Labor, according to an announcement today by James A. Taylor, president of the Seattle Metal Trades Council. Taylor is also a member of the executive council of the state federation. He said the Metal Trades Council would not make plans for a prolonged fight to win their demands for higher wages, and that calling off of the sympathetic strikes in Tacoma and Seattle would not affect the shipyard strikes. The situation was to be discussed at the meeting of the Metal Trades Council tonight.

the voucher to the United States National bank of Portland, for the evident purpose of making them a defendant in the suit brought afterwards by Sweeney, so that the trial of the case would be held in Portland and the county be put to extra expense.

Sought \$121,241
Sweeney alleged that the engineer's estimates previously accepted by him, were incorrect and insufficient under the contract, alleging that he should have been paid the sum of \$277,560, had been paid \$156,321, leaving a claim for \$121,241, for which he brought suit in the circuit court of Multnomah county.

The case was tried before Judge George N. Davis of Portland who overruled motions for demurrer and change of venue by Jackson county, and after a brief deliberation, split the difference between the \$35,573 admitted due by the county, and the \$121,241 claimed by Sweeney, giving judgment for \$82,533. An appeal from this decision was taken to the supreme court at the March term, 1917, and final arguments were submitted early last autumn, since when the case has been before the court.

Jackson county was represented by Attorney A. E. Reames. Sweeney by L. H. McCarthy, Robert D. Searey, S. B. Houston, Carey and Kerr and the United States National bank by Chamberlain, Thomas, Kraemer and Humphries.

KING IN SPEECH URGES QUICK ACTION

LONDON, Feb. 11.—King George, in opening the new parliament today, after alluding briefly to events since the dissolution of the last parliament just after the armistice, urged quick and decisive action on reconstruction measures and asked parliament "to spare no effort in healing the causes of the existing unrest."

The king stated that a government bill would be presented in simplifying the procedure in the house of commons, so that the lower body might expedite what the government considers imperative measures. Among the measures, he said, were better housing, formation of a department of health, fulfillment of pledges to labor that unfair competition should be prevented, and betterment of the agricultural situation through improved transportation.

10,000 SOLDIERS SAIL FOR HOME

WASHINGTON, Feb. 11.—Four transports and a cruiser with more than 10,000 troops aboard, have sailed from France and will arrive at New York and Newport News between February 16 and February 20. The 104th infantry complete, practically all of the 162nd infantry and part of the 161st infantry of the 4th division, composed of National Guard troops from Washington, Oregon, Montana, North Dakota and the District of Columbia, are included in the units now enroute home.